



Social Security Administration Act 1992

1992 CHAPTER 5

PART VII

INFORMATION

[^{F1}Information relating to, or required for purposes of, contributions, statutory sick pay or statutory maternity pay

Textual Amendments

- F1** Ss. 121E, 121F and cross-heading inserted (1.4.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\), s. 28\(3\), Sch. 6 para. 1](#); S.I. 1999/527, art. 2(b), Sch. 2

121E Supply of contributions etc. information held by Inland Revenue

- (1) This section applies to information which is held for the purposes of functions relating to contributions, [^{F2}health in pregnancy grant,] statutory sick pay or statutory maternity pay [^{F3}or functions under Part III of the Pensions Act]—
- by the Inland Revenue, or
 - by a person providing services to them, in connection with the provision of those services.
- [^{F4}(2) Information to which this section applies may, and ^{F5}... must if an authorised officer so requires, be supplied—
- to the Secretary of State, or
 - to a person providing services to the Secretary of State,
- for use for the purposes of functions relating to ^{F5}... war pensions ^{F5}...
- (2ZA) Information to which this section applies may, and ^{F6}... must if an authorised officer so requires, be supplied—
- to the Northern Ireland Department, or
 - to a person providing services to that Department,

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for use for the purposes of functions relating to ^{F6}... child support ^{F6}...]

^{F7}(2A)

(3) In [^{F8}this section] “authorised officer” means an officer of the Secretary of State or the Northern Ireland Department authorised for the purposes of this section by the Secretary of State or the Northern Ireland Department.

Textual Amendments

- F2** Words in s. 121E(1) inserted (21.7.2008 for specified purposes, 1.1.2009 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), **ss. 132(6)**, 170; S.I. 2008/3137, art. 2
- F3** Words in s 121E inserted (11.11.1999) by the [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(4) (d), **Sch. 11 para. 7**
- F4** S. 121E(2)(2ZA) substituted for s. 121E(2) (1.6.2009) by [Child Maintenance and Other Payments Act 2008 \(c. 6\)](#), s. 62(3), **Sch. 7 para. 2(3)**; S.I. 2009/1314, art. 2(2)(b)(i)
- F5** Words in s. 121E(2) repealed (8.5.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(2)(f), **Sch. 14 Pt. 13**
- F6** Words in s. 121E(2ZA) repealed (8.5.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(2)(f), **Sch. 14 Pt. 13**
- F7** S. 121E(2A) repealed (8.5.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(2)(f), **Sch. 14 Pt. 13**
- F8** Words in s. 121E(3) substituted (9.9.2002) by [Employment Act 2002 \(c. 22\)](#), s. 55(2), **Sch. 6 para. 11(c)**; S.I. 2002/2256, art. 2(a)

121F Supply to Inland Revenue for purposes of contributions etc. of information held by Secretary of State

[^{F9}(1) This section applies to information which is held for the purposes of functions relating to ^{F10}... war pensions ^{F10}...—

- (a) by the Secretary of State, or
- (b) by a person providing services to the Secretary of State, in connection with the provision of those services.

(1A) This section also applies to information which is held for the purposes of functions relating to ^{F11}... child support, war pensions ^{F11}...—

- (a) by the Northern Ireland Department, or
- (b) by a person providing services to that Department, in connection with the provision of those services.]

(2) Information to which this section applies may, and ^{F12}... must if an officer of the Inland Revenue authorised by the Inland Revenue for the purposes of this section so requires, be supplied—

- (a) to the Inland Revenue, or
- (b) to a person providing services to the Inland Revenue, for use for the purposes of functions relating to contributions, [^{F13}health in pregnancy grant,]^{F14}... statutory sick pay or statutory maternity pay [^{F15}or functions under Part III of the Pensions Act.]

^{F16}(2A)

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Textual Amendments

- F9** S. 121F(1)(1A) substituted for s. 121F(1) (1.6.2009) by [Child Maintenance and Other Payments Act 2008 \(c. 6\)](#), s. 62(3), [Sch. 7 para. 2\(5\)](#); S.I. 2009/1314, art. 2(2)(b)(i)
- F10** Words in s. 121F(1) repealed (8.5.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(2)(f), [Sch. 14 Pt. 13](#)
- F11** Words in s. 121F(1A) repealed (8.5.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(2)(f), [Sch. 14 Pt. 13](#)
- F12** Words in s. 121F(2) repealed (8.5.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(2)(f), [Sch. 14 Pt. 13](#)
- F13** Words in s. 121F(2) inserted (21.7.2008 for specified purposes, 1.1.2009 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), [ss. 132\(7\)](#), 170; S.I. 2008/3137, art. 2
- F14** Words in s. 121F(2) omitted (16.2.2011) by virtue of [Savings Accounts and Health in Pregnancy Grant Act 2010 \(c. 36\)](#), [ss. 2\(2\)](#), 4(2)
- F15** Words in s. 121F(2) inserted (11.11.1999) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(4)(d), [Sch. 11 para. 8](#)
- F16** S. 121F(2A) repealed (8.5.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(2)(f), [Sch. 14 Pt. 13](#)

[^{F17}Information held by tax authorities]

Textual Amendments

- F17** Ss. 122, 122A and cross-heading substituted for s. 122 and cross-heading (1.7.1997) by [Social Security Administration \(Fraud\) Act 1997 \(c. 47\)](#), [ss. 1\(1\)](#), 25(1); S.I. 1997/1577, art. 2, [Sch.](#)

^{F18}122 Supply of information held by tax authorities for fraud prevention and verification

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Textual Amendments

- F18** S. 122 repealed (8.5.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(2)(f), [Sch. 14 Pt. 13](#)

^{F19}122ZA Supply of tax information to assess certain employment or training schemes

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Textual Amendments

- F19** S. 122ZA repealed (8.5.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(2)(f), [Sch. 14 Pt. 13](#)

^{F20}122A Disclosure of contributions etc. information by [^{F21}Her Majesty’s Revenue and Customs]

- (1) No obligation as to secrecy imposed by statute or otherwise on [^{F22}Revenue and Customs officials (within the meaning of section 18 of the Commissioners for Revenue and Customs Act 2005 (confidentiality))] shall prevent information held for the

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purposes of the functions of [^{F23}Her Majesty’s Revenue and Customs] in relation to contributions, statutory sick pay [^{F24}, statutory maternity pay, [^{F25}statutory paternity pay,] statutory adoption pay][^{F26}, statutory shared parental pay or statutory parental bereavement pay] from being disclosed—

- (a) to any of the authorities to which this paragraph applies, or any person authorised to exercise any function of that authority, for the purposes of the functions of that authority, or
- (b) in a case where the disclosure is necessary for the purpose of giving effect to any agreement to which an order under section 179(1) below relates.

(2) The authorities to which subsection (1)(a) above applies are—

- (a) the Health and Safety Executive,
- (b) the Government Actuary's Department,
- (c) the [^{F27}Statistics Board] and
- (d) the [^{F28}Pensions Regulator].]

Textual Amendments

- F20** S. 122AA inserted (1.4.1999) by Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), s. 28(3), **Sch. 6 para. 3**; S.I. 1999/527, art. 2(b), Sch. 2
- F21** Words in s. 122AA heading substituted (18.4.2005) by Commissioners for Revenue and Customs Act 2005 (c. 11), s. 53(1), **Sch. 4 para. 46(b)**; S.I. 2005/1126, art. 2(2)(h)
- F22** Words in s. 122AA(1) substituted (18.4.2005) by Commissioners for Revenue and Customs Act 2005 (c. 11), s. 53(1), **Sch. 4 para. 46(a)(i)**; S.I. 2005/1126, art. 2(2)(h)
- F23** Words in s. 122AA(1) substituted (18.4.2005) by Commissioners for Revenue and Customs Act 2005 (c. 11), s. 53(1), **Sch. 4 para. 46(a)(ii)**; S.I. 2005/1126, art. 2(2)(h)
- F24** Words in s. 122AA(1) substituted (8.12.2002) by Employment Act 2002 (c. 22), s. 55(2), **Sch. 7 para. 13**; S.I. 2002/2866, art. 2(2), Sch. 1 Pt. 2
- F25** Words in s. 122AA(1) substituted (5.4.2015) by Children and Families Act 2014 (c. 6), s. 139(6), **Sch. 7 para. 25(a)**; S.I. 2014/1640, art. 7(i) (with art. 16)
- F26** Words in s. 122AA(1) substituted (18.1.2020) by Parental Bereavement (Leave and Pay) Act 2018 (c. 24), s. 2(2), **Sch. para. 16**; S.I. 2020/45, reg. 2
- F27** Words in s. 122AA(2)(c) substituted (1.4.2008) by Statistics and Registration Service Act 2007 (c. 18), s. 74(1), **Sch. 2 para. 5**; S.I. 2008/839, art. 2
- F28** Words in s. 122AA(2)(d) substituted (6.4.2005) by Pensions Act 2004 (c. 35), s. 322(1), **Sch. 12 para. 7**; S.I. 2005/695, art. 2(7), Sch. 1

^{F29}122A Supply of information by Inland Revenue for purposes of contributions

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Textual Amendments

- F29** S. 122A repealed (1.4.1999) by Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), s. 28(3), Sch. 6 para. 4, **Sch. 10 Pt. I**; S.I. 1999/527, art. 2(b), **Sch. 2**

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^{F30}Other government information

Textual Amendments

F30 S. 122B and cross-heading inserted (1.7.1997) by [Social Security Administration \(Fraud\) Act 1997](#) (c. 47), **ss. 2(1), 25(1)**; S.I. 1997/1577, art. 2, **Sch.**

122B Supply of other government information for fraud prevention and verification

- (1) This section applies to information which is held by, or by a person providing services to, a Minister of the Crown or a government department (including a Northern Ireland Department) and which relates to—
 - (a) passports, immigration and emigration, nationality or prisoners; or
 - (b) any other matter which is prescribed.
- (2) Information to which this section applies may be supplied to, or to a person providing services to, the Secretary of State or the Northern Ireland Department—
 - (a) for use in the prevention, detection, investigation or prosecution of offences relating to social security [^{F31}or tax credits]; or
 - (b) for use in checking the accuracy of information relating to benefits, ^{F32}... or national insurance numbers or to any other matter relating to social security and (where appropriate) amending or supplementing such information.
- (3) Information supplied under subsection (2) above shall not be supplied by the recipient to any other person or body unless—
 - (a) it could be supplied to that person or body under that subsection
 - (b) it is supplied for the purposes of any civil or criminal proceedings relating to the Contributions and Benefits Act 1995, the Jobseekers Act 1995 [^{F33}, the Tax Credits Act 2002][^{F34}, Part 1 of the Welfare Reform Act 2007][^{F35}, Part 1 of the Welfare Reform Act 2012][^{F36}, Part 4 of that Act][^{F37}, Part 1 of the Pensions Act 2014][^{F38}, section 30 of that Act] or this Act or to any provision of Northern Ireland legislation corresponding to any of them; ^{F39}...
 - (c) it is supplied under section 122C below [^{F40}or
 - (d) it is supplied under section 127 of the Welfare Reform Act 2012.]
- (4) But where information supplied under subsection (2) above has been used (in accordance with paragraph (b) of that subsection) in amending or supplementing other information, it is lawful for it to be—
 - (a) supplied to any person or body to whom that other information could be supplied; or
 - (b) used for any purpose for which that other information could be used.
- (5) This section does not limit the circumstances in which information may be supplied apart from this section.]

Textual Amendments

F31 Words in s. 122B(2)(a) inserted (6.6.2012) by [Welfare Reform Act 2012](#) (c. 5), **ss. 123(2), 150(3)**; S.I. 2012/1246, art. 2(2) (as amended (31.5.2012) by S.I. 2012/1440, art. 2)

F32 Words in s. 122B(2)(b) repealed (1.4.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999](#) (c. 2), s. 28(3), **Sch. 6 para. 5, Sch. 10 Pt. 1**; S.I. 1999/527, art. 2(b), **Sch. 2**

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- F33** Words in s. 122B(3)(b) inserted (6.6.2012) by Welfare Reform Act 2012 (c. 5), **ss. 123(3)(a)**, 150(3); S.I. 2012/1246, art. 2(2) (as amended (31.5.2012) by S.I. 2012/1440, art. 2)
- F34** Words in s. 122B(3)(b) inserted (27.10.2008) by Welfare Reform Act 2007 (c. 5), s. 70(2), **Sch. 3 para. 10(14)**; S.I. 2008/787, art. 2(4)(f)
- F35** Words in s. 122B(3)(b) inserted (29.4.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 2 para. 15**; S.I. 2013/983, art. 3(1)(b)(ii)
- F36** Words in s. 122B(3)(b) inserted (8.4.2013 for specified purposes, 10.6.2013 in so far as not already in force) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 9 para. 13**; S.I. 2013/358, art. 7(1)(2)(k), Sch. 3; S.I. 2013/1250, art. 2
- F37** Words in s. 122B(3)(b) inserted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), **Sch. 12 para. 14**
- F38** Words in s. 122B(3)(b) inserted (6.4.2017) by Pensions Act 2014 (c. 19), s. 56(1), **Sch. 16 para. 27**; S.I. 2017/297, art. 3(2) (with arts. 4, 5)
- F39** Word in s. 122B(3) repealed (6.6.2012) by Welfare Reform Act 2012 (c. 5), **ss. 123(3)(b)**, 150(3); S.I. 2012/1246, art. 2(2) (as amended (31.5.2012) by S.I. 2012/1440, art. 2)
- F40** S. 122B(3)(d) and preceding word inserted (6.6.2012) by Welfare Reform Act 2012 (c. 5), **ss. 123(3)(c)**, 150(3); S.I. 2012/1246, art. 2(2) (as amended (31.5.2012) by S.I. 2012/1440, art. 2)

Modifications etc. (not altering text)

- C1** Ss. 122B-122E modified (31.5.2001) by Departments (Transfer of Functions) Order (Northern Ireland) 2001 (S.R. 2001/229), arts. 1(2), **4(1)(b)**

[^{F41} Authorities administering housing benefit or council tax benefit

Textual Amendments

- F41** Ss. 122C-122E and cross-heading inserted (1.7.1997 for specified purposes, 2.3.2004 in so far as not already in force) by Social Security Administration (Fraud) Act 1997 (c. 47), **ss. 3**, 25(1); S.I. 1997/1577, art. 2, Sch.; S.I. 2004/564, art. 2

122C Supply of information to authorities administering benefit

^{F42}(1) This section applies to information relating to social security^{[^{F43}}, child support or war pensions, or employment or training,] which is held—

- (a) by the Secretary of State or the Northern Ireland Department; or
- (b) by a person providing services to the Secretary of State or the Northern Ireland Department in connection with the provision of those services.

(2) Information to which this section applies may be supplied to—

- (a) an authority administering housing benefit or council tax benefit; or
- (b) a person authorised to exercise any function of such an authority relating to such a benefit,

for use in the administration of such a benefit ^{[^{F44}}or for the purposes of anything the authority is permitted to do in relation to any other benefit by virtue of section 110A or 116A above].

(3) But where information to which this section applies has been supplied to the Secretary of State, the Northern Ireland Department or the person providing services under section 122 or 122B above, it may only be supplied under subsection (2) above—

- (a) for use in the prevention, detection, investigation or prosecution of ^{[^{F45}}benefit offences (within the meaning of Part 6 above)]; or

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- (b) for use in checking the accuracy of information relating to housing benefit or to council tax benefit and (where appropriate) amending or supplementing such information.
- (4) The Secretary of State or the Northern Ireland Department—
 - (a) may impose conditions on the use of information supplied under subsection (2) above; and
 - (b) may charge a reasonable fee in respect of the cost of supplying information under that subsection.
- (5) Where information is supplied to an authority or other person under subsection (2) above, the authority or other person shall have regard to it in the exercise of any function relating to housing benefit or council tax benefit.
- (6) Information supplied under subsection (2) above shall not be supplied by the recipient to any other person or body unless—
 - (a) it is supplied—
 - (i) by an authority to a person authorised to exercise any function of the authority relating to housing benefit or council tax benefit; or
 - (ii) by a person authorised to exercise any function of an authority relating to such a benefit to the authority;
 - (b) it is supplied for the purposes of any civil or criminal proceedings relating to the Contributions and Benefits Act, the Jobseekers Act 1995^[F46], Part 1 of the Welfare Reform Act 2007^[F47], Part 4 of the Welfare Reform Act 2012^[F47] or this Act or to any provision of Northern Ireland legislation corresponding to any of them; or
 - (c) it is supplied under section 122D or 122E below.
- (7) This section does not limit the circumstances in which information may be supplied apart from this section (in particular by reason of section 122(4) or 122B(4) above).

^[F48](8) In this section and section 122D below “war pension” has the same meaning as in section 25 of the Social Security Act 1989.]

Textual Amendments

- F42** Ss. 122C-122E repealed (1.4.2013 in so far as relate to the abolition of council tax benefit) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), **Sch. 14 Pt. 1**; S.I. 2013/358, art. 8(c), Sch. 4 (with arts. 9, 10, Sch. 5)
- F43** Words in s. 122C(1) inserted (9.9.2020) by [Employment Act 2002 \(c. 22\)](#), s. 55(2), **Sch 6 para 2(a)**; S.I. 2002/2256, art. 2(a)
- F44** Words in s. 122C(2) inserted (2.7.2009) by [Welfare Reform Act 2007 \(c. 5\)](#), s. 48(1)(a); S.I. 2009/1608, art. 2
- F45** Words in s. 122C(3)(a) substituted (2.7.2009) by [Welfare Reform Act 2007 \(c. 5\)](#), s. 48(1)(b); S.I. 2009/1608, art. 2
- F46** Words in s. 122C(6)(b) inserted (27.10.2008) by [Welfare Reform Act 2007 \(c. 5\)](#), s. 70(2), **Sch. 3 para. 10(15)**; S.I. 2008/787, art. 2(4)(b)(f)
- F47** Words in s. 122C(6)(b) inserted (8.4.2013 for specified purposes, 10.6.2013 in so far as not already in force) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), **Sch. 9 para. 14**; S.I. 2013/358, art. 7(1)(2)(k), Sch. 3; S.I. 2013/1250, art. 2
- F48** S. 122C(8) inserted (9.9.2002) by [Employment Act 2002 \(c. 22\)](#), s. 55(2), **Sch. 6 para. 2(b)**; S.I. 2002/2256, art. 2(a)

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Modifications etc. (not altering text)

- C1** Ss. 122B-122E modified (31.5.2001) by [Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2001 \(S.R. 2001/229\)](#), arts. 1(2), **4(1)(b)**
- C2** S. 122C modified (6.4.2003) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(1), **Sch. 8 para. 34**; [S.I. 2003/936](#), **art. 2**

122D Supply of information by authorities administering benefit

- (1) The Secretary of State or the Northern Ireland Department may require—
- (a) an authority administering housing benefit or council tax benefit; or
 - (b) a person authorised to exercise any function of such an authority relating to such a benefit,

to supply [^{F49}relevant benefit information] held by the authority or other person to, or to a person providing services to, the Secretary of State or the Northern Ireland Department for use for any purpose relating to social security^{F50}, child support or war pensions, [^{F51}employment or training, private pensions policy or retirement planning].

- (2) The Secretary of State or the Northern Ireland Department may require—
- (a) an authority administering housing benefit or council tax benefit; or
 - (b) a person authorised to exercise any function of such an authority relating to such a benefit,

to supply benefit policy information held by the authority or other person to, or to a person providing services to, the Secretary of State or the Northern Ireland Department.

[^{F52}(2A) Information supplied under subsection (2)^{F53}, in addition to any other purpose for which the information may be used,] may be used for any purpose relating to private pensions policy or retirement planning.]

- (3) Information shall be supplied under subsection (1) or (2) above in such manner and form, and in accordance with such requirements, as may be [^{F54}specified in directions given by the Secretary of State or, as the case may be, the Northern Ireland Department].

[^{F55}(4) In subsection (1) “relevant benefit information”, in relation to an authority or other person, means any information which is relevant to the exercise of any function relating to a relevant social security benefit by the authority or other person.]

- (5) In subsection (2) above “benefit policy information” means any information which may be relevant to the Secretary of State or the Northern Ireland Department—

- (a) in preparing estimates of likely future expenditure on [^{F56}any relevant social security benefit]; or
- (b) in developing policy relating to [^{F56}any relevant social security benefit].

[^{F57}(6) In this section—

“private pensions policy” means policy relating to occupational pension schemes or personal pension schemes (within the meaning given by section 1 of the Pension Schemes Act 1993);

[^{F58}“relevant social security benefit” has the same meaning as in section 121DA above;]

“retirement planning” means promoting financial planning for retirement.]

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Textual Amendments

- F42** Ss. 122C-122E repealed (1.4.2013 in so far as relate to the abolition of council tax benefit) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 1](#); S.I. 2013/358, art. 8(c), [Sch. 4](#) (with arts. 9, 10, [Sch. 5](#))
- F49** Words in s. 122D(1) substituted (2.7.2009) by [Welfare Reform Act 2007 \(c. 5\)](#), s. [48\(2\)\(a\)](#); S.I. 2009/1608, art. 2
- F50** Words in s. 122D(1) inserted (9.9.2002) by [Employment Act 2002 \(c. 22\)](#), [Sch. 6 para. 3](#); S.I. 2002/2256, art. 2(a)
- F51** Words in s. 122D(1) substituted (18.11.2004) by [Pensions Act 2004 \(c. 35\)](#), s. 322(2)(a), [Sch. 10 para. 3\(2\)](#)
- F52** S. 122D(2A) inserted (18.11.2004) by [Pensions Act 2004 \(c. 35\)](#), s. 322(2)(a), [Sch. 10 para. 3\(3\)](#)
- F53** Words in s. 122D(2A) inserted (2.7.2009) by [Welfare Reform Act 2007 \(c. 5\)](#), s. [48\(2\)\(b\)](#); S.I. 2009/1608, art. 2
- F54** Words in s. 122D(3) substituted (30.4.2002) by [Social Security Fraud Act 2001 \(c. 11\)](#), s. [6](#); S.I. 2002/1222, art. 2(d)
- F55** S. 122D(4) substituted (2.7.2009) by [Welfare Reform Act 2007 \(c. 5\)](#), s. [48\(2\)\(c\)](#); S.I. 2009/1608, art. 2
- F56** Words in s. 122D(5) substituted (2.7.2009) by [Welfare Reform Act 2007 \(c. 5\)](#), s. [48\(2\)\(d\)](#); S.I. 2009/1608, art. 2
- F57** S. 122D(6) inserted (18.11.2004) by [Pensions Act 2004 \(c. 35\)](#), s. 322(2)(a), [Sch. 10 para. 3\(4\)](#)
- F58** Words in s. 122D(6) inserted (2.7.2009) by [Welfare Reform Act 2007 \(c. 5\)](#), s. [48\(2\)\(e\)](#); S.I. 2009/1608, art. 2

Modifications etc. (not altering text)

- C1** Ss. 122B-122E modified (31.5.2001) by [Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2001 \(S.R. 2001/229\)](#), arts. 1(2), [4\(1\)\(b\)](#)
- C3** S. 122D modified (6.4.2003) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(1), [Sch. 8 para. 34](#); S.I. 2003/936, art. 2
- C4** S. 122D extended by [Social Security Administration \(Northern Ireland\) Act 1992 \(c. 8\)](#), s. [155A\(5\)](#) (as inserted (14.2.2003) by [Social Security Fraud Act 2001 \(c. 11\)](#), s. 5(2))

122E Supply of information between authorities administering benefit

- (1) This section applies to [^{F59}relevant benefit information] which is held by—
- an authority administering housing benefit or council tax benefit; or
 - a person authorised to exercise any function of such an authority relating to such a benefit.
- (2) Information to which this section applies may be supplied to another such authority or person—
- for use in the prevention, detection, investigation or prosecution of [^{F60}benefit offences (within the meaning of Part 6 above)]; or
 - for use in checking the accuracy of information relating to housing benefit or to council tax benefit and (where appropriate) amending or supplementing such information.
- (3) The Secretary of State or the Northern Ireland Department may require information to which this section applies and which is of a prescribed description to be supplied in prescribed circumstances to another such authority or person for use in the administration of housing benefit or council tax benefit.

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- (4) Information shall be supplied under subsection (3) above in such manner and form, and in accordance with such requirements, as may be [^{F61}specified in directions given by the Secretary of State or, as the case may be, the Northern Ireland Department].
- (5) Where information supplied under subsection (2) or (3) above has been used in amending or supplementing other information, it is lawful for it to be—
- (a) supplied to any person or body to whom that other information could be supplied; or
 - (b) used for any purpose for which that other information could be used.
- [^{F62}(6) In this section “relevant benefit information”, in relation to an authority or other person, means any information which is relevant to the exercise of any function relating to a relevant social security benefit (within the meaning of section 121DA above) by the authority or other person.]
- (7) This section does not limit the circumstances in which information may be supplied apart from this section.]]

Textual Amendments

- F42** Ss. 122C-122E repealed (1.4.2013 in so far as relate to the abolition of council tax benefit) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 1](#); S.I. 2013/358, art. 8(c), [Sch. 4](#) (with arts. 9, 10, [Sch. 5](#))
- F59** Words in s. 122E(1) substituted (2.7.2009) by [Welfare Reform Act 2007 \(c. 5\)](#), [ss. 48\(3\)\(a\)](#), 70(2); S.I. 2009/1608, art. 2
- F60** Words in s. 122E(2)(a) substituted (2.7.2009) by [Welfare Reform Act 2007 \(c. 5\)](#), [ss. 48\(3\)\(b\)](#), 70(2); S.I. 2009/1608, art. 2
- F61** Words in s. 122E(4) substituted (30.4.2002) by [Social Security Fraud Act 2001 \(c. 11\)](#), [ss. 6](#), 20(1); S.I. 2002/1222, art. 2(d)
- F62** S. 122E(6) substituted (2.7.2009) by [Welfare Reform Act 2007 \(c. 5\)](#), [ss. 48\(3\)\(c\)](#), 70(2); S.I. 2009/1608, art. 2

Modifications etc. (not altering text)

- C1** Ss. 122B-122E modified (31.5.2001) by [Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2001 \(S.R. 2001/229\)](#), arts. 1(2), [4\(1\)\(b\)](#)
- C5** S. 122E modified (6.4.2003) by [Welfare Reform and Pensions Act 1999 \(c. 30\)](#), s. 89(1), [Sch. 8 para. 34](#); S.I. 2003/936, art. 2

[^{F63}Rent officers and housing benefit

Textual Amendments

- F63** S. 122F and cross-heading inserted (27.3.2009) by [Welfare Reform Act 2007 \(c. 5\)](#), [ss. 36](#), 70(2); S.I. 2009/775, art. 2(a)

122F Supply by rent officers of [^{F64}benefit information]

- (1) The Secretary of State may require a rent officer to supply [^{F65}benefit information] held by the rent officer to, or to a person providing services to, the Secretary of State for use for purposes relating to any of the following—

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- (a) social security;
 - (b) child support;
 - (c) war pensions;
 - (d) employment or training;
 - (e) private pensions policy or retirement planning.
- (2) Information must be supplied under subsection (1) in such manner and form, and in accordance with such requirements, as may be specified in directions given by the Secretary of State.
- (3) A person who receives information by virtue of subsection (1) must not disclose the information to any person unless the disclosure is made—
 - (a) for a purpose mentioned in that subsection (including disclosure to another rent officer in connection with any function he has under section 122 of the Housing Act 1996 relating to [^{F66}universal credit] housing benefit),
 - (b) in accordance with any other enactment, or
 - (c) in accordance with the order of a court.
- (4) [^{F67}Benefit information] is any information which relates to the exercise by the rent officer of any function he has under section 122 of the Housing Act 1996 relating to [^{F68}universal credit] housing benefit.]

Textual Amendments

- F64** Words in s. 122F heading substituted (29.4.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 2 para. 16(2)**; S.I. 2013/983, art. 3(1)(b)(ii)
- F65** Words in s. 122F(1) substituted (29.4.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 2 para. 16(3)**; S.I. 2013/983, art. 3(1)(b)(ii)
- F66** Words in s. 122F(3)(a) inserted (29.4.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 2 para. 16(4)**; S.I. 2013/983, art. 3(1)(b)(ii)
- F67** Words in s. 122F(4) substituted (29.4.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 2 para. 16(5)(a)**; S.I. 2013/983, art. 3(1)(b)(ii)
- F68** Words in s. 122F(4) inserted (29.4.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 2 para. 16(5)(b)**; S.I. 2013/983, art. 3(1)(b)(ii)

Persons employed or formerly employed in social security administration or adjudication

123 Unauthorised disclosure of information relating to particular persons

- (1) A person who is or has been employed in social security administration or adjudication is guilty of an offence if he discloses without lawful authority any information which he acquired in the course of his employment and which relates to a particular person.
- (2) A person who is or has been employed in the audit of expenditure or the investigation of complaints is guilty of an offence if he discloses without lawful authority any information—
 - (a) which he acquired in the course of his employment;
 - (b) which is, or is derived from, information acquired or held by or for the purposes of any of the government departments or other bodies or persons referred to in Part I of Schedule 4 to this Act or Part I of [^{F69}Schedule 4] to the Northern Ireland Administration Act; and

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- (c) which relates to a particular person.
- (3) It is not an offence under this section—
- (a) to disclose information in the form of a summary or collection of information so framed as not to enable information relating to any particular person to be ascertained from it; or
 - (b) to disclose information which has previously been disclosed to the public with lawful authority.
- (4) It is a defence for a person charged with an offence under this section to prove that at the time of the alleged offence—
- (a) he believed that he was making the disclosure in question with lawful authority and had no reasonable cause to believe otherwise; or
 - (b) he believed that the information in question had previously been disclosed to the public with lawful authority and had no reasonable cause to believe otherwise.
- (5) A person guilty of an offence under this section shall be liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both; or
 - (b) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both.
- (6) For the purposes of this section the persons who are “employed in social security administration or adjudication” are—
- (a) any person specified in Part I of Schedule 4 to this Act or in any corresponding enactment having effect in Northern Ireland;
 - (b) any other person who carries out the administrative work of any of the government departments or other bodies or persons referred to in that Part of that Schedule or that corresponding enactment; and
 - (c) any person who provides, or is employed in the provision of, services to any of those departments, persons or bodies;
- and “employment”, in relation to any such person, shall be construed accordingly.
- [^{F70}(6A) Subsection (6) above shall have effect as if any [^{F71}health care professional] who, for the purposes of [^{F72}section 19 of the Social Security Act 1998], is provided by any person in pursuance of a contract entered into with the Secretary of State were specified in Part I of Schedule 4 to this Act.]
- (7) For the purposes of subsections (2) and (6) above, any reference in Part I of Schedule 4 to this Act or any corresponding enactment having effect in Northern Ireland to a government department shall be construed in accordance with Part II of that Schedule or any corresponding enactment having effect in Northern Ireland, and for this purpose “government department” shall be taken to include—
- ^{F73}(a)
 - [^{F74}(aa) the Scottish Administration;]
 - (b) the Scottish Courts Administration.
- (8) For the purposes of this section, the persons who are “employed in the audit of expenditure or the investigation of complaints” are—
- (a) the Comptroller and Auditor General;
 - [^{F75}(aa) any member or employee of the National Audit Office;

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- (ab) any other person who carries out the administrative work of the National Audit Office, or who provides, or is employed in the provision of, services to that Office;]
 - (b) the Comptroller and Auditor General for Northern Ireland;
 - [^{F76}(ba) the Auditor General for Wales and any member of his staff;]
 - [^{F77}(bb) any member of the staff of the Wales Audit Office, and any person providing services to that Office];
 - (c) the Parliamentary Commissioner for Administration;
 - (d) the Northern Ireland Parliamentary Commissioner for Administration;
 - (e) the Health Service Commissioner for England;
 - ^{F78}(f)
 - (g) [^{F79}the Scottish Public Services Ombudsman];
 - (h) the Northern Ireland Commissioner for Complaints;
 - [^{F80}(ha) a member of the Local Commission for England;]
 - ^{F78}(hb)
 - ^{F81}(hc)
 - ^{F78}(hd)
 - [^{F82}(he) the Public Services Ombudsman for Wales and any member of his staff;]
 - (i) any member of the staff of ^{F83}... the Northern Ireland Audit Office;
 - (j) any other person who carries out the administrative work of [^{F84}the Northern Ireland Audit Office], or who provides, or is employed in the provision of, services to [^{F85}that Office]; ^{F86}...
 - [^{F87}(jza) the following persons—
 - (i) any member of the staff of the National Audit Office that was established by section 3 of the National Audit Act 1983, or
 - (ii) any other person who carried out the administrative work of that Office, or who provided, or who was employed in the provision of, services to that Office;]
 - [^{F88}(jzb) a local auditor within the meaning of the Local Audit and Accountability Act 2014;]
 - ^{F89}(ja)
 - [^{F90}(jb) a member of the Accounts Commission for Scotland and any auditor within the meaning of Part VII of the Local Government (Scotland) Act 1973;
 - (jc) a Northern Ireland local government auditor; and]
 - (k) any officer of any of the Commissioners[^{F91}, Ombudsman][^{F92}or Commissions referred to in paragraphs (c) to [^{F93}(ha)], (ja) and (jb) above and any person assisting an auditor referred to in paragraph (ja), (jb) or (jc) above];
- and “employment”, in relation to any such person, shall be construed accordingly.
- (9) For the purposes of this section a disclosure is to be regarded as made with lawful authority, if, and only if, it is made—
- (a) in accordance with his official duty—
 - (i) by a civil servant; or
 - (ii) by a person employed in the audit of expenditure or the investigating-action of complaints, who does not fall within subsection (8)(j) above;
 - (b) by any other person either—

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- (i) for the purposes of the function in the exercise of which he holds the information and without contravening any restriction duly imposed by the person responsible; or
 - (ii) to, or in accordance with an authorisation duly given by, the person responsible;
 - (c) in accordance with any enactment or order or a court;
 - (d) for the purpose of instituting, or otherwise for the purposes of, any proceedings before a court or before any tribunal or other body or person referred to in Part I of Schedule 4 to this Act or Part I of [F94Schedule 4] to the Northern Ireland Administration Act; or
 - (e) with the consent of the appropriate person;
- and in this subsection “the person responsible” means the Secretary of State, the Lord Chancellor or any person authorised by the Secretary of State or the Lord Chancellor for the purposes of this subsection and includes a reference to “the person responsible” within the meaning of any corresponding enactment having effect in Northern Ireland.
- (10) For the purposes of subsection (9)(e) above, “the appropriate person” means the person to whom the information in question relates, except that if the affairs of that person are being dealt with—
- (a) under a power of attorney;
 - (b) by F95... a controller appointed under Article 101 of the M1Mental Health (Northern Ireland) Order 1986;
 - (c) by a Scottish mental health custodian, that is to say [F96a guardian or other person entitled to act on behalf of the person under the Adults with Incapacity (Scotland) Act 2000 (asp 4)];
 - (d) by a mental health appointee, that is to say—
 - (i) a person directed or authorised as mentioned in F97... sub-paragraph (a) of rule 38(1) of Order 109 of the M2Rules of the Supreme Court (Northern Ireland) 1980; or
 - (ii) F98... a controller ad interim appointed under sub-paragraph (b) of the said rule 38(1),
- the appropriate person is the attorney, F99... controller, custodian or appointee, as the case may be, or, in a case falling within paragraph (a) above, the person to whom the information relates.

- [F100(11) Where the person to whom the information relates lacks capacity (within the meaning of the Mental Capacity Act 2005) to consent to its disclosure, the appropriate person is—
- (a) a donee of an enduring power of attorney or lasting power of attorney (within the meaning of that Act), or
 - (b) a deputy appointed for him, or any other person authorised, by the Court of Protection,
- with power in that respect.]

Textual Amendments

- F69** Words in s. 123(2)(b) substituted (1.7.1997) by [Social Security Administration \(Fraud\) Act 1997](#) (c. 47), s. 25(1), [Sch. 1 para. 6](#); S.I. 1997/1577, art. 2, Sch.
- F70** S. 123(6A) inserted (3.1.1995) by [Deregulation and Contracting Out Act 1994](#) (c. 40), s. 82(2)(f), [Sch. 16 para. 21](#)

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- F71** Words in s. 123(6A) substituted (3.7.2007) by Welfare Reform Act 2007 (c. 5), s. 70(1), **Sch. 7 para. 3(3)**
- F72** Words in s. 123(6A) substituted (5.7.1999 for specified purposes, 6.9.1999 for specified purposes, 5.10.1999 for specified purposes, 18.10.1999 for specified purposes, 29.11.1999 for specified purposes) by Social Security Act 1998 (c. 14), s. 87(2), **Sch. 7 para. 88**; S.I. 1999/1958, art. 2(1)(b), Sch. 1; S.I. 1999/2422, art. 2(c), Sch. 1; S.I. 1999/2739, art. 2, Sch. 1; S.I. 1999/2860, art. 2, Sch. 1; S.I. 1999/3178, art. 2(1)(a), Sch. 1
- F73** Ss. 123(7)(a) repealed (1.4.99) by Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), s. 28(3), **Sch 10 Pt. I**; S.I. 1999/527, art. 2(b), Sch. 2
- F74** S. 123(7)(aa) inserted (1.7.1999) by The Scotland Act 1998 (Consequential Modifications) (No.2) Order 1999 (S.I. 1999/1820), art. 1(2), **Sch. 2 para. 105(2)**
- F75** S. 123(8)(aa)(ab) inserted (1.4.2012) by Budget Responsibility and National Audit Act 2011 (c. 4), s. 29, **Sch. 5 para. 15(2)**; S.I. 2011/2576, art. 5
- F76** S. 123(8)(ba) inserted (1.2.1999) by Government of Wales Act 1998 (c. 38), s. 158(1), **Sch. 12 para. 32(a)**; S.I. 1999/118, art. 2
- F77** S. 123(8)(bb) inserted (1.4.2014) by Public Audit (Wales) Act 2013 (anaw 3), s. 35(2), **Sch. 4 para. 3** (with Sch. 3 para. 3); S.I. 2013/1466, art. 3(1)
- F78** S. 123(8)(f)(hb)(hd) repealed (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), s. 40, Sch. 6 para. 26(a), **Sch. 7**; S.I. 2005/2800, art. 5(1)(3)
- F79** Words in s. 123(8)(g) substituted (14.7.2004) by The Scottish Public Services Ombudsman Act 2002 (Consequential Provisions and Modifications) Order 2004 (S.I. 2004/1823), arts. 1, **12(a)**
- F80** S. 123(8)(ha)-(hc) inserted (1.7.1997) by Social Security Administration (Fraud) Act 1997 (c. 47), **ss. 4(2)(a)**, 25(1); S.I. 1997/1577, art. 2, Sch.
- F81** S. 123(8)(hc) omitted (14.7.2004) by virtue of The Scottish Public Services Ombudsman Act 2002 (Consequential Provisions and Modifications) Order 2004 (S.I. 2004/1823), arts. 1, **12(b)**
- F82** S. 123(8)(he) inserted (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), s. 40, **Sch. 6 para. 26(b)**; S.I. 2005/2800, art. 5(1)(3)
- F83** Words in s. 123(8)(i) omitted (1.4.2012) by virtue of Budget Responsibility and National Audit Act 2011 (c. 4), s. 29, **Sch. 5 para. 15(3)**; S.I. 2011/2576, art. 5
- F84** Words in s. 123(8)(j) substituted (1.4.2012) by Budget Responsibility and National Audit Act 2011 (c. 4), s. 29, **Sch. 5 para. 15(4)(a)**; S.I. 2011/2576, art. 5
- F85** Words in s. 123(8)(j) substituted (1.4.2012) by Budget Responsibility and National Audit Act 2011 (c. 4), s. 29, **Sch. 5 para. 15(4)(b)**; S.I. 2011/2576, art. 5
- F86** Word in s. 123(8) repealed (1.7.1997) by Social Security Administration (Fraud) Act 1997 (c. 47), s. 25(1), **Sch. 2**; S.I. 1997/1577, art. 2, Sch.
- F87** S. 123(8)(jza) inserted (1.4.2012) by Budget Responsibility and National Audit Act 2011 (c. 4), s. 29, **Sch. 5 para. 15(5)**; S.I. 2011/2576, art. 5
- F88** S. 123(8)(jzb) inserted (1.4.2015) by Local Audit and Accountability Act 2014 (c. 2), s. 49(1), **Sch. 12 para. 28(a)**; S.I. 2015/841, art. 3(x) (with Sch. para. 2) (as amended (27.6.2016) by S.I. 2016/675, art. 2)
- F89** S. 123(8)(ja) omitted (1.4.2015) by virtue of Local Audit and Accountability Act 2014 (c. 2), s. 49(1), **Sch. 12 para. 28(b)**; S.I. 2015/841, art. 3(x) (with Sch. para. 2) (as amended (27.6.2016) by S.I. 2016/675, art. 2)
- F90** S. 123(8)(ja)-(jc) inserted (1.7.1997) by Social Security Administration (Fraud) Act 1997 (c. 47), **ss. 4(2)(b)**, 25(1); S.I. 1997/1577, art. 2, Sch.
- F91** Word in s. 123(8)(k) inserted (14.7.2004) by The Scottish Public Services Ombudsman Act 2002 (Consequential Provisions and Modifications) Order 2004 (S.I. 2004/1823), arts. 1, **12(c)(i)**
- F92** Words in s. 123(8)(k) substituted (1.7.1997) by Social Security Administration (Fraud) Act 1997 (c. 47), **ss. 4(2)(c)**, 25(1); S.I. 1997/1577, art. 2, Sch.
- F93** Word in s. 123(8)(k) substituted (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), s. 40, **Sch. 6 para. 26(c)**; S.I. 2005/2800, art. 5(1)(3)
- F94** Words in s. 123(9)(d) substituted (1.7.1997) by Social Security Administration (Fraud) Act 1997 (c. 47), s. 25(1), **Sch. 1 para. 6**; S.I. 1997/1577, art. 2, Sch.

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- F95** Words in s. 123(10)(b) repealed (1.10.2007) by Mental Capacity Act 2005 (c. 9), s. 68(1), Sch. 6 para. 37(a)(i), **Sch. 7** (with ss. 27-29, 62); S.I. 2007/1897, art. 2(1)(d)
- F96** Words in s. 123(10)(c) substituted (S.) (2.4.2001 for specified purposes, 1.4.2002 in so far as not already in force) by Adults with Incapacity (Scotland) Act 2000 (asp 4), s. 89(2), **Sch. 5 para. 23**; S.S.I. 2001/81, arts. 2, 3, Schs. 1, 2; and substituted (E.W.) (30.6.2005) by The Adults with Incapacity (Scotland) Act 2000 (Consequential Modifications) (England, Wales and Northern Ireland) Order 2005 (S.I. 2005/1790), arts. 1(1), 3
- F97** Words in s. 123(10)(d)(i) repealed (1.10.2007) by Mental Capacity Act 2005 (c. 9), s. 68(1), Sch. 6 para. 37(a)(ii), **Sch. 7** (with ss. 27-29, 62); S.I. 2007/1897, art. 2(1)(d)
- F98** Words in s. 123(10)(d)(ii) repealed (1.10.2007) by Mental Capacity Act 2005 (c. 9), s. 68(1), Sch. 6 para. 37(a)(iii), **Sch. 7** (with ss. 27-29, 62); S.I. 2007/1897, art. 2(1)(d)
- F99** Word in s. 123(10) repealed (1.10.2007) by Mental Capacity Act 2005 (c. 9), s. 68(1), Sch. 6 para. 37(a)(iv), **Sch. 7** (with ss. 27-29, 62); S.I. 2007/1897, art. 2(1)(d)
- F100** S. 123(11) inserted (1.10.2007) by Mental Capacity Act 2005 (c. 9), s. 68(1), **Sch. 6 para. 37(b)** (with ss. 27-29, 62); S.I. 2007/1897, art. 2(1)(d)

Modifications etc. (not altering text)

- C6** S. 123 applied (1.10.2004) by The Welfare Food Regulations 1996 (S.I. 1996/1434), reg. 22(1), **Sch. 6** (as amended by S.I. 2004/2311, regs. 1(2), 2)
- C7** S. 123 applied (8.11.2001) by Health and Social Care Act 2001 (c. 15), **ss 51(5), 70(2)**; S.I. 2001/3752, art. 3
- C8** S. 123(8)(c) modified (1.7.1999) by The Scotland Act 1998 (Transitory and Transitional Provisions) (Complaints of Maladministration) Order 1999 (S.I. 1999/1351), arts. 1, **17(2)(d)** (with art. 18).

Marginal Citations

- M1** S.I. 1986/595 (N.I. 4).
- M2** S.R. (N.I.) 1980 No. 346.

The Registration Service

124 Provisions relating to age, death and marriage

- (1) Regulations made by the Registrar General under section 20 of the Registration Service Act 1953 or section 54 of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 may provide for the furnishing by superintendent registrars and registrars, subject to the payment of such fee as may be prescribed by the regulations, of such information for the purposes—
- (a) of the provisions of the Contributions and Benefits Act to which this section applies;
- [^{F101}(aa) of the provisions of Parts I and II of the Jobseekers Act 1995;]
- [^{F102}(ab) of the provisions of the State Pension Credit Act 2002;]
- [^{F103}(ac) of the provisions of Part 1 of the Welfare Reform Act 2007;]^{F104} ...
- [^{F105}(ad) of the provisions of Part 1 of the Welfare Reform Act 2012;]
- [^{F106}(ae) of the provisions of Part 4 of that Act;]
- [^{F107}(af) of the provisions of Part 1 of the Pensions Act 2014; and]
- [^{F108}(ag) of section 30 of the Pensions Act 2014; and]
- (b) of the provisions of this Act so far as they have effect in relation to matters arising under those provisions,

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including copies of extracts from the registers in their custody [^{F109}(or in the case of marriages converted from civil partnerships, copies or extracts from the register of conversions)], as may be so prescribed.

(2) This section applies to the following provisions of the Contributions and Benefits Act—

- (a) Parts I to VI except section 108;
- (b) Part VII, so far as it relates to income support ^{F110}... ;
- (c) Part VIII, so far as it relates to any social fund payment such as is mentioned in section 138(1)(a) or (2);
- (d) Part IX;
- (e) Part XI; and
- (f) Part XII.

(3) Where the age, marriage or death of a person is required to be ascertained or proved for the purposes mentioned in subsection (1) above, any person—

- (a) on presenting to the custodian of the register under the enactments relating to the registration of births, marriages and deaths in which particulars of the birth, marriage or death (as the case may be) of the first-mentioned person are entered, a duly completed requisition in writing in that behalf; and
- (b) on payment of [^{F111}the appropriate fee in England and Wales and a fee of]^{F112}£10.00] in Scotland,

shall be entitled to obtain a copy, certified under the hand of the custodian, of the entry of those particulars.

^{F113}(3A) Where it is required to be ascertained or proved for the purposes mentioned in subsection (1) above, that a civil partnership has been converted into a marriage, any person—

- (a) on presenting to the superintendent registrar in whose district the conversion took place, a duly completed requisition in writing in that behalf; and

^{F114}(b) on payment of the appropriate fee;]

is entitled to obtain a copy, certified under the hand of the superintendent registrar, of the entry relating to that marriage in the register of conversions.]

(4) Requisitions for the purposes of [^{F115}subsections (3) and (3A)] above shall be in such form and contain such particulars as may from time to time be specified by the Registrar General, and suitable forms of requisition shall, on request, be supplied without charge by superintendent registrars and registrars.

(5) In the section—

- (a) as it applies to England and Wales—

^{F116}“the appropriate fee” means the fee payable to the registrar or superintendent registrar for a certified copy of an entry in the register concerned by virtue of section 38A of the Births and Deaths Registration Act 1953, section 71A of the Marriage Act 1949 or section 9 of the Marriage (Same Sex Couples) Act 2013.]

^{F117}“register of conversions” means the register of conversions of civil partnerships into marriages kept by the Registrar General in accordance with section 9 of the Marriage (Same Sex Couples) Act 2013 and regulations made under that section;]

Changes to legislation: Social Security Administration Act 1992, Part VII is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“Registrar General” means the Registrar General for England and Wales;
and

“superintendent registrar” and “registrar” mean a superintendent registrar or, as the case may be, registrar for the purposes of the enactments relating to the registration of births, deaths and marriages;
and

(b) as it applies to Scotland—

“Registrar General” means the Registrar General of Births, Deaths and Marriages for Scotland;

“registrar” means a district registrar, senior registrar or assistant registrar for the purposes of the enactments relating to the registration of births, deaths and marriages.

Textual Amendments

- F101** S. 124(1)(aa) inserted (11.6.1996) by Jobseekers Act 1995 (c. 18), s. 41(2), **Sch. 2 para. 59**; S.I. 1996/1509, art. 2, **Sch.**
- F102** S. 124(1)(ab) inserted (2.7.2002 for specified purposes, 6.10.2003 in so far as not already in force) by State Pension Credit Act 2002 (c. 16), s. 22(3), **Sch. 2 para. 13**; S.I. 2002/1691, art. 2(1); S.I. 2003/1766, art. 2(a)
- F103** S. 124(1)(ac) inserted (27.10.2008) by Welfare Reform Act 2007 (c. 5), s. 70(2), **Sch. 3 para. 10(16)**; S.I. 2008/787, art. 2(4)(f)
- F104** Word in s. 124(1)(ac) repealed (29.4.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 2 para. 17(a)**; S.I. 2013/983, art. 3(1)(b)(ii)
- F105** S. 124(1)(ad) inserted (29.4.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 2 para. 17(b)**; S.I. 2013/983, art. 3(1)(b)(ii)
- F106** S. 124(1)(ae) inserted (8.4.2013 for specified purposes, 10.6.2013 in so far as not already in force) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 9 para. 15**; S.I. 2013/358, art. 7(1)(2)(k), **Sch. 3**; S.I. 2013/1250, art. 2
- F107** S. 124(1)(af) inserted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), **Sch. 12 para. 15**
- F108** S. 124(1)(ag) inserted (6.4.2017) by Pensions Act 2014 (c. 19), s. 56(1), **Sch. 16 para. 28**; S.I. 2017/297, art. 3(2) (with arts. 4, 5)
- F109** Words in s. 124(1) inserted (10.12.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Provisions) Order 2014 (S.I. 2014/3168), art. 1(2)(3), **Sch. para. 12(2)**
- F110** Words in s. 124(2)(b) repealed (8.4.2003) by Tax Credits Act 2002 (c. 21), s. 61, **Sch. 6**; S.I. 2003/962, art. 2(4)(e), **Sch. 2** (with art. 3)
- F111** Words in s. 124(3) substituted (12.7.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 15 para. 36(2)**; S.I. 2016/603, reg. 3(w)
- F112** Sum in s. 124(3)(b) substituted (1.1.2011) by virtue of The Registration of Births, Deaths and Marriages (Fees) (Scotland) Order 2010 (S.S.I. 2010/428), arts. 1(1), 2, **Sch.**
- F113** S. 124(3A) inserted (10.12.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Provisions) Order 2014 (S.I. 2014/3168), art. 1(2)(3), **Sch. para. 12(3)**
- F114** S. 124(3A)(b) substituted (12.7.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 15 para. 36(3)**; S.I. 2016/603, reg. 3(w)
- F115** Words in s. 124(4) substituted (10.12.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Provisions) Order 2014 (S.I. 2014/3168), art. 1(2)(3), **Sch. para. 12(4)**
- F116** Words in s. 124(5)(a) inserted (12.7.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 15 para. 36(4)**; S.I. 2016/603, reg. 3(w)

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F117 Words in s. 124(5)(a) inserted (10.12.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Provisions) Order 2014 (S.I. 2014/3168), art. 1(2)(3), **Sch. para. 12(5)**

Modifications etc. (not altering text)

C9 Ss. 124-124B modified by Pension Schemes Act 1993 (c. 48), s. 167(5) (as substituted (5.12.2006) by S.I. 2005/3129, Sch. 1 para. 5)

[^{F118}124A] Provisions relating to civil partnership: England and Wales

- (1) Regulations made by the Registrar General under section 36 of the Civil Partnership Act 2004 may provide for the furnishing by registration authorities, subject to the payment of the prescribed fee, of such information for the purposes mentioned in section 124(1) above as may be so prescribed.
- (2) Where the civil partnership of a person is required to be ascertained or proved for those purposes, any person—
 - (a) on presenting to the registration authority for the area in which the civil partnership was formed a request in the prescribed manner in that behalf, and
 - (b) on payment of the prescribed fee,shall be entitled to obtain a certified copy of such entries in the register as are prescribed by regulations made under section 36 of the 2004 Act.
- (3) “The prescribed fee” means any fee prescribed under section 34(1) of the 2004 Act.
- (4) “The prescribed manner” means—
 - (a) in accordance with any regulations made under section 36 of the 2004 Act, and
 - (b) in such form as is approved by the Registrar General for England and Wales, and forms for making a request under subsection (2) shall, on request, be supplied without charge by registration authorities.]

Textual Amendments

F118 Ss. 124A, 124B inserted (5.12.2005) by The Civil Partnership Act 2004 (Overseas Relationships and Consequential, etc. Amendments) Order 2005 (S.I. 2005/3129), art. 1, **Sch. 1 para. 4(1)**

Modifications etc. (not altering text)

C9 Ss. 124-124B modified by Pension Schemes Act 1993 (c. 48), s. 167(5) (as substituted (5.12.2006) by S.I. 2005/3129, Sch. 1 para. 5)

[^{F118}124B] Provisions relating to civil partnership: Scotland

- (1) Where the civil partnership of a person is required to be ascertained or proved for the purposes mentioned in section 124(1) above, any person, on presenting to a district registrar a request in the approved manner in that behalf, [^{F119}and on payment of the sum of [^{F120}£10.00],] shall be entitled to obtain a copy, certified by the registrar, of the entry in the civil partnership register of the particulars of the civil partnership.
- (2) “The approved manner” means in such form and containing such particulars as may be approved by the Registrar General for Scotland.

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- (3) Forms for making a request under subsection (1) shall, on request, be supplied without charge by district registrars.
- (4) “Civil partnership register” has the same meaning as in Part 3 of the Civil Partnership Act 2004.]

Textual Amendments

- F118** Ss. 124A, 124B inserted (5.12.2005) by [The Civil Partnership Act 2004 \(Overseas Relationships and Consequential, etc. Amendments\) Order 2005 \(S.I. 2005/3129\)](#), art. 1, **Sch. 1 para. 4(1)**
- F119** Words in s. 124B inserted (1.10.2006) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), ss. **53(2)**, 63(2); S.S.I. 2006/469, art. 2, sch. 1 (with art. 4)
- F120** Sum in s. 124B(1) substituted (1.1.2011) by virtue of [The Registration of Births, Deaths and Marriages \(Fees\) \(Scotland\) Order 2010 \(S.S.I. 2010/428\)](#), arts. 1(1), 2, **sch.**

Modifications etc. (not altering text)

- C9** Ss. 124-124B modified by [Pension Schemes Act 1993 \(c. 48\)](#), s. **167(5)** (as substituted (5.12.2006) by [S.I. 2005/3129](#), Sch. 1 para. 5)

125 Regulations as to notification of deaths

- (1) Regulations [^{F121}made with the concurrence of the Inland Revenue] may provide that it shall be the duty of any of the following persons—
- the Registrar General for England and Wales;
 - the Registrar General of Births, Deaths and Marriages for Scotland;
 - each registrar of births and deaths,
- to furnish the Secretary of State, [^{F122}or the Inland Revenue, for the purposes of their respective functions] under the Contributions and Benefits Act [^{F123}the Jobseekers Act 1995], [^{F124}the Social Security (Recovery of Benefits) Act 1997][^{F125}the Social Security Act 1998][^{F126}the State Pension Credit Act 2002][^{F127}Part 1 of the Welfare Reform Act 2007][^{F128}Part 1 of the Welfare Reform Act 2012][^{F129}Part 4 of that Act][^{F130}Part 1 of the Pensions Act 2014][^{F131}section 30 of that Act] and this Act and the functions of the Northern Ireland Department under any Northern Ireland legislation corresponding to [^{F132}any of those Acts], with the prescribed particulars of such deaths as may be prescribed.
- (2) The regulations may make provision as to the manner in which the times at which the particulars are to be furnished.

Textual Amendments

- F121** Words in s. 125(1) inserted (25.2.1999 for specified purposes, 1.4.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(2)(a), **Sch. 1 para. 25(a)**; S.I. 1999/527, art. 2(b), Sch. 2
- F122** Words in s. 125(1) inserted (25.2.1999 for specified purposes, 1.4.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(2)(a), **Sch. 1 para. 25(b)**; S.I. 1999/527, art. 2(b), Sch. 2
- F123** Words in s. 125(1) inserted (11.6.1996) by [Jobseekers Act 1995 \(c. 18\)](#), s. 41(2), **Sch. 2 para. 60(a)**; S.I. 1996/1509, art. 2, Sch.
- F124** Words in s. 125(1) inserted (6.10.1997) by [Social Security \(Recovery of Benefits\) Act 1997 \(c. 27\)](#), **Sch. 3 para. 5**; S.I. 1997/2085, art. 2(2)

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- F125** Words in s. 125(1) inserted (5.7.1999 for specified purposes, 6.9.1999 for specified purposes, 5.10.1999 for specified purposes, 18.10.1999 for specified purposes, 29.11.1999 for specified purposes) by Social Security Act 1998 (c. 14), s. 87(2), **Sch. 7 para. 89**; S.I. 1999/1958, art. 2(1)(b), Sch. 1; S.I. 1999/2422, art. 2(c), Sch. 1; S.I. 1999/2739, art. 2, Sch. 1; S.I. 1999/2860, art. 2, Sch. 1; S.I. 1999/3178, art. 2(1)(a), Sch. 1
- F126** Words in s. 125(1) inserted (2.7.2002 for specified purposes, 6.10.2003 in so far as not already in force) by State Pension Credit Act 2002 (c. 16), s. 22(3), **Sch. 2 para. 14**; S.I. 2002/1691, art. 2(1); S.I. 2003/1766, art. 2(a)
- F127** Words in s. 125(1) inserted (27.10.2008) by Welfare Reform Act 2007 (c. 5), s. 70(2), **Sch. 3 para. 10(17)**; S.I. 2008/787, art. 2(4)(f)
- F128** Words in s. 125(1) inserted (29.4.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 2 para. 18**; S.I. 2013/983, art. 3(1)(b)(ii)
- F129** Words in s. 125(1) inserted (8.4.2013 for specified purposes, 10.6.2013 in so far as not already in force) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 9 para. 16**; S.I. 2013/358, art. 7(1)(2)(k), Sch. 3; S.I. 2013/1250, art. 2
- F130** Words in s. 125(1) inserted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), **Sch. 12 para. 16**
- F131** Words in s. 125(1) inserted (6.4.2017) by Pensions Act 2014 (c. 19), s. 56(1), **Sch. 16 para. 29**; S.I. 2017/297, art. 3(2) (with arts. 4, 5)
- F132** Words in s. 125(1) substituted (11.6.1996) by Jobseekers Act 1995 (c. 18), s. 41(2), **Sch. 2 para. 60(b)**; S.I. 1996/1509, art. 2, Sch.

Modifications etc. (not altering text)

- C10** S. 125 applied (7.2.1994) by Pension Schemes Act 1993 (c. 48), **s. 167(1)(2)**, 193(2); S.I. 1994/86, art. 2

Personal representatives—income support and supplementary benefit

126 Personal representatives to give information about the estate of a deceased person who was in receipt of income support or supplementary benefit

- (1) The personal representatives of a person who was in receipt of [^{F133}universal credit] income support [^{F134}, an income-based jobseeker's allowance][^{F135}, state pension credit][^{F136}, an income-related employment and support allowance] or supplementary benefit at any time before his death shall provide the Secretary of State with such information as he may require relating to the assets and liabilities of that person's estate.
- (2) If the personal representatives fail to supply any information within 28 days of being required to do so under subsection (1) above, then—
- (a) the appropriate court may, on the application of the Secretary of State, make an order directing them to supply that information within such time as may be specified in the order, and
- (b) any such order may provide that all costs (or, in Scotland, expenses) of and incidental to the application shall be borne personally by any of the personal representatives.
- (3) In this section “the appropriate court” means—
- (a) in England and Wales, [^{F137}the county court];
- (b) in Scotland, the sheriff;
- and any application to the sheriff under this section shall be made by summary application.

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Textual Amendments

- F133** Words in s. 126(1) inserted (29.4.2013) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 2 para. 19](#); [S.I. 2013/983](#), art. 3(1)(b)(ii)
- F134** Words in s. 126(1) inserted (11.6.96) by [Jobseekers Act 1995 \(c. 18\)](#), s. 41(2), [Sch. 2 para. 61](#); [S.I. 1996/1509](#), art. 2, [Sch.](#)
- F135** Words in s. 126(1) inserted (2.7.2002 for specified purposes, 6.10.2003 in so far as not already in force) by [State Pension Credit Act 2002 \(c. 16\)](#), s. 22(3), [Sch. 2 para. 15](#); [S.I. 2002/1691](#), art. 2(1); [S.I. 2003/1766](#), art. 2(a)
- F136** Words in s. 126(1) inserted (27.10.2008) by [Welfare Reform Act 2007 \(c. 5\)](#), s. 70(2), [Sch. 3 para. 10\(18\)](#); [S.I. 2008/787](#), art. 2(4)(f)
- F137** Words in s. 126(3)(a) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 52](#); [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

^{F138} Landlords and agents

Textual Amendments

- F138** S. 126A and cross-heading inserted (8.10.1997) by [Social Security Administration \(Fraud\) Act 1997 \(c. 47\)](#), [ss. 11, 25\(1\)](#); [S.I. 1997/2417](#), art. 2(1)

126A Power to require information from landlords and agents

- (1) Regulations shall provide that where a claim for housing benefit in respect of a dwelling is made to an authority and the circumstances are such as are prescribed—
- (a) the authority; or
 - (b) a person authorised to exercise any function of authority relating to housing benefit,
- may require any appropriate person to supply information of a prescribed description to the authority or other person.
- (2) Subject to subsection (4) below, for the purposes of subsection (1) above a person is an appropriate person in relation to a dwelling if he is—
- (a) a person to whom anyone is, or claims to be, liable to make relevant payments;
 - (b) a person to whom, or at whose direction, a person within paragraph (a) above has agreed to make payments in consequence of being entitled to receive relevant payments; or
 - (c) a person acting on behalf of a person within paragraph (a) or (b) above in connection with any aspect of the management of the dwelling.
- (3) In subsection (2) above “relevant payments” in relation to a dwelling, means payments in respect of the dwelling which are of a described description in relation to which housing benefit may be paid.
- (4) Regulations may provide that any prescribed person, or any person of a prescribed description, is not an appropriate person for the purposes of subsection (1) above.
- (5) The descriptions of information which may be prescribed for the purposes of subsection (1) above include, in particular, any description of information relating to,

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or to any interest in or other connection with, dwellings and other property situated anywhere in the United Kingdom.

- (6) Information shall be supplied under subsection (1) above in such a manner and form, and at such time and in accordance with such other requirements as may be prescribed.
- (7) Information supplied to an authority or other person under subsection (1) above may be used by the authority or other person only in the exercise of any function relating to housing benefit or council tax benefit.
- (8) The provisions of sections 122D and 122E above apply in relation to any information supplied under subsection (1) above which is not [^{F139}relevant benefit information] (within the meaning of those provisions) as if it were.]

Textual Amendments

F139 Words in s. 126A(8) substituted (2.7.2009) by [Welfare Reform Act 2007 \(c. 5\), ss. 48\(4\), 70\(2\)](#); S.I. 2009/1608, art. 2

Modifications etc. (not altering text)

C11 S. 126A modified (6.4.2003) by [Welfare Reform and Pensions Act 1999 \(c. 30\), s. 89\(1\), Sch. 8 para. 34](#); S.I. 2003/936, art. 2

.....
^{F140}**127**

Textual Amendments

F140 Ss. 127, 128, 128A and cross-headings repealed (1.7.1997 except for the repeal of s. 128A and cross-heading) by [Social Security Administration \(Fraud\) Act 1997 \(c. 47\), Sch. 2](#); S.I. 1997/1577, art. 2, [Sch.](#)

.....
^{F141}**128**

Textual Amendments

F141 Ss. 127, 128, 128A and cross-headings repealed (1.7.1997 except for the repeal of s. 128A and cross-heading) by [Social Security Administration \(Fraud\) Act 1997 \(c. 47\), s. 25\(1\), Sch. 2](#); S.I. 1997/1577, art. 2, [Sch.](#)

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[^{F142}[^{F143}Expedited claims for housing and council tax benefit]

Textual Amendments

- F142** S. 128A and cross-heading inserted (12.12.1995 for specified purposes, 1.4.1996 in so far as not already in force) by *Jobseekers Act 1995 (c. 18)*, ss. **28(2)**, 41(2); S.I. 1995/3228, art. **2(d)**
- F143** S. 128A and cross-heading repealed (1.4.2013 in so far as relate to the abolition of council tax benefit) by *Welfare Reform Act 2012 (c. 5)*, s 150(3), **Sch 14 Pt. 1**; S.I. 2013/358, art. 8(c), Sch. 4 (with arts. 9, 10, Sch. 5)

128A Disclosure of information by authorities

- ^{F143}(1) Regulations may make provision requiring the disclosure by one authority (“the disclosing authority”) to another authority (“the receiving authority”), in prescribed circumstances, of information of a prescribed description obtained by the disclosing authority in respect of persons who have been entitled to a jobseeker’s allowance or to income support.
- (2) The regulations may in particular provide for—
- (a) information to be disclosed—
 - (i) at the request of the receiving authority;
 - (ii) at the request of any person who falls within a prescribed category; or
 - (iii) otherwise than in response to such a request;
 - (b) the period within which information is to be disclosed; and
 - (c) information to be disclosed only if it has been obtained by the disclosing authority in the exercise of any of their functions in relation to housing benefit or council tax benefit.]]

Statutory sick pay and other benefits

129 Disclosure by Secretary of State for purpose of determination of period of entitlement to statutory sick pay

Where the Secretary of State considers that it is reasonable for information held by him to be disclosed to an employer, for the purpose of enabling that employer to determine the duration of a period of entitlement under Part XI of the Contributions and Benefits Act in respect of an employee, or whether such a period exists, he may disclose the information to that employer.

130 Duties of employers—statutory sick pay and claims for other benefits

- (1) Regulations may make provision requiring an employer, in a case falling within subsection (3) below to furnish information in connection with the making, by a person who is, or has been, an employee of that employer, of a claim for—
- ^{F144}(za) universal credit;]
 - ^{F145}(a) short term incapacity benefit];
 - (b) a maternity allowance;
 - ^{F146}(c) long-term incapacity benefit;]
 - (d) industrial injuries benefit; ^{F147}...

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- ^{F147}(e)
- ^{F148}(f) an employment and support allowance.]

(2) Regulations under this section shall prescribe—

- (a) the kind of information to be furnished in accordance with the regulations;
- (b) the person to whom information of the prescribed kind is to be furnished; and
- (c) the manner in which, and period within which, it is to be furnished.

(3) The cases are—

- (a) where, by virtue of paragraph 2 of Schedule 11 to the Contributions and Benefits Act or of regulations made under paragraph 1 of that Schedule, a period of entitlement does not arise in relation to a period of incapacity for work;
- (b) where a period of entitlement has come to an end but the period of incapacity for work which was running immediately before the period of entitlement came to an end continues; and
- (c) where a period of entitlement has not come to an end but, on the assumption that—
 - (i) the period of incapacity for work in question continues to run for a prescribed period; and
 - (ii) there is no material change in circumstances,the period of entitlement will have ended on or before the end of the prescribed period.

(4) Regulations [^{F149}made with the concurrence of the Inland Revenue]—

- (a) may require employers to maintain such records in connection with statutory sick pay as may be prescribed;
- (b) may provide for—
 - (i) any person claiming to be entitled to statutory sick pay; or
 - (ii) any other person who is a party to proceedings arising under Part XI of the Contributions and Benefits Act,to furnish to the Secretary of State [^{F150}or the Inland Revenue (as the regulations may require)], within a prescribed period, any information required for the determination of any question arising in connection therewith; and
- (c) may require employers who have made payments of statutory sick pay to furnish to the Secretary of State [^{F150}or the Inland Revenue (as the regulations may require)] such documents and information, at such times, as may be prescribed.

^{F151}(5) Regulations made with the concurrence of the Inland Revenue may require employers to produce wages sheets and other documents and records to officers of the Inland Revenue, within a prescribed period, for the purpose of enabling them to satisfy themselves that statutory sick pay has been paid, and is being paid, in accordance with regulations under section 5 above, to employees or former employees who are entitled to it.]

Textual Amendments

F144 S. 130(1)(za) inserted (29.4.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), Sch. 2 para. 20; S.I. 2013/983, art. 3(1)(b)(ii)

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- F145** S. 130(1)(a) substituted (13.4.1995) by Social Security (Incapacity for Work) Act 1994 (c. 18), s. 16(3), **Sch. 1 para. 49(a)**; S.I. 1994/2926, art. 2(4), Sch. Pt. IV
- F146** S. 130(1)(c) substituted (13.4.1995) by Social Security (Incapacity for Work) Act 1994 (c. 18), s. 16(3), **Sch. 1 para. 49(b)**; S.I. 1994/2926, art. 2(4), Sch. Pt. IV
- F147** S. 130(1)(e) and preceding word repealed (3.11.2000 for specified purposes, 6.4.2001 in so far as not already in force) by Welfare Reform and Pensions Act 1999 (c. 30), s 89(1), **Sch. 13 Pt. IV**; S.I. 2000/2958, art. 2(3)-(5) (with art. 4)
- F148** S. 130(1)(f) inserted (27.10.2008) by Welfare Reform Act 2007 (c. 5), s. 70(2), **Sch. 3 para. 10(19)**; S.I. 2008/787, art. 2(4)(f)
- F149** Words in s. 130(4) inserted (25.2.1999 for specified purposes, 1.4.1999 in so far as not already in force) by Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), s. 28(2)(a), **Sch. 1 para. 26(a)**; S.I. 1999/527, art. 2(b), Sch. 2
- F150** Words in s. 130(4)(b)(c) inserted (25.2.1999 for specified purposes, 1.4.1999 in so far as not already in force) by Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), s. 28(2)(a), **Sch. 1 para. 26(b)**; S.I. 1999/527, art. 2(b), Sch. 2
- F151** S. 130(5) inserted (1.1.2005) by National Insurance Contributions and Statutory Payments Act 2004 (c. 3), **ss. 9(2), 13**; S.I. 2004/1943, art. 3(a)

Statutory maternity pay and other benefits

131 Disclosure by Secretary of State for purpose of determination of period of entitlement to statutory maternity pay

Where the Secretary of State considers that it is reasonable for information held by him to be disclosed to a person liable to make payments of statutory maternity pay for the purpose of enabling that person to determine—

- (a) whether a maternity pay period exists in relation to a women who is or has been an employee of his; and
- (b) if it does, the date of its commencement and the weeks in it in respect of which he may be liable to pay statutory maternity pay,

he may disclose the information to that person.

132 Duties of employers—statutory maternity pay and claims for other benefits

- (1) Regulations may make provision requiring an employer in prescribed circumstances to furnish information in connection with the making of a claim by a woman who is or has been his employee for—

[^{F152}(za) universal credit;]

- (a) a maternity allowance;

[^{F153}(aa) an employment and support allowance;]

- (b) [^{F154}short-term incapacity benefit];

- (c) an [^{F155}long-term incapacity benefit under section 30A], 40 or 41 of the Contributions and benefits Act; ^{F156}...

^{F156}(d)

- (2) Regulations under this section shall prescribe—

- (a) the kind of information to be furnished in accordance with the regulations;
- (b) the person to whom information of the prescribed kind is to be furnished; and
- (c) the manner in which, and period within which, it is to be furnished.

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- (3) Regulations [^{F157}made with the concurrence of the Inland Revenue]—
- (a) may require employers to maintain such records in connection with statutory maternity pay as may be prescribed;
 - (b) may provide for—
 - (i) any woman claiming to be entitled to statutory maternity pay; or
 - (ii) any other person who is a party to proceedings arising under Part XII of the Contributions and Benefits Act,to furnish to the Secretary of State [^{F157}or the Inland Revenue (as the regulations may require)], within a prescribed period, any information required for the determination of any question arising in connection therewith; and
 - (c) may require persons who have made payments of statutory maternity pay to furnish to the Secretary of State [^{F157}or the Inland Revenue (as the regulations may require)] such documents and information, at such time, as may be prescribed.
- [^{F158}(4) Regulations made with the concurrence of the Inland Revenue may require employers to produce wages sheets and other documents and records to officers of the Inland Revenue, within a prescribed period, for the purpose of enabling them to satisfy themselves that statutory maternity pay has been paid, and is being paid, in accordance with regulations under section 5 above, to employees or former employees who are entitled to it.]

Textual Amendments

- F152** S. 132(1)(za) inserted (29.4.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 2 para. 21**; S.I. 2013/983, art. 3(1)(b)(ii)
- F153** S. 132(1)(aa) inserted (27.10.2008) by Welfare Reform Act 2007 (c. 5), s. 70(2), **Sch. 3 para. 10(20)**; S.I. 2008/787, art. 2(4)(f)
- F154** Words in s. 130(1)(b) substituted (13.4.1995) by Social Security (Incapacity for Work) Act 1994 (c. 18), s. 16(3), **Sch. 1 para. 50(a)**; S.I. 1994/2926, art. 2(4), Sch. Pt. IV
- F155** Words in s. 130(1)(c) substituted (13.4.1995) by Social Security (Incapacity for Work) Act 1994 (c. 18), s. 16(3), **Sch. 1 para. 50(b)**; S.I. 1994/2926, art. 2(4), Sch. Pt. IV
- F156** S. 132(1)(d) and preceding word repealed (3.11.2000 for specified purposes, 6.4.2001 in so far as not already in force) by Welfare Reform and Pensions Act 1999 (c. 30), s. 89(1), **Sch. 13 Pt. IV**; S.I. 2000/2958, art. 2(3)-(5) (with art. 4)
- F157** Words in s. 130(6) inserted (25.2.1999 for specified purposes, 1.4.1999 in so far as not already in force) by Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), s. 28(2)(a), **Sch. 1 para. 27**; S.I. 1999/527, art. 2(b), Sch. 2
- F158** S. 132(4) inserted (1.1.2005) by National Insurance Contributions and Statutory Payments Act 2004 (c. 3), **ss. 9(3), 13**; S.I. 2004/1943, art. 3(a)

^{F159}Contributions avoidance arrangements

Textual Amendments

- F159** S. 132A and cross-heading inserted (30.3.2006) by National Insurance Contributions Act 2006 (c. 10), **ss. 7(2), 9**

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132A Disclosure of contributions avoidance arrangements

- (1) The Treasury may by regulations make provision requiring, or relating to, the disclosure of information in relation to ^{F160}—
 - (a) any notifiable contribution arrangements or notifiable contribution proposal ^{F161}, or
 - (b) any arrangements or proposal which the Commissioners for Her Majesty’s Revenue and Customs reasonably suspect to be notifiable contribution arrangements or a notifiable contribution proposal (as the case may be).]
- (2) The only provision which may be made under subsection (1) is provision applying (with or without modification), or corresponding to, any of the following provisions—
 - (a) any provision of, or made under, Part 7 of the Finance Act 2004 (disclosure of tax avoidance schemes) so far as that provision relates to income tax;
 - (b) section 98C of the Taxes Management Act 1970 (penalties for failure to comply with Part 7 of the Finance Act 2004) and any other provision of the Taxes Management Act 1970 so far as it relates to a penalty under that section;
 - (c) any provision made under section 132 of the Finance Act 1999 or section 135 of the Finance Act 2002 (electronic communications);
 - (d) any provision of any other enactment or instrument (including any enactment or instrument passed or made on or after the day on which the National Insurance Contributions Act 2006 was passed) which requires, or relates to, the disclosure of information in relation to tax avoidance arrangements which relate in whole or in part to income tax.
- (3) For the purposes of subsection (1)—

“notifiable contribution arrangements” means any arrangements which—

 - (a) enable, or might be expected to enable, any person to obtain an advantage in relation to a contribution, and
 - (b) are such that the main benefit, or one of the main benefits, that might be expected to arise from the arrangements is the obtaining of that advantage;

“notifiable contribution proposal” means a proposal for arrangements which, if entered into, would be notifiable contribution arrangements (whether the proposal relates to a particular person or to any person who may seek to take advantage of it).
- (4) Where, at any time after the passing of the National Insurance Contributions Act 2006, a relevant tax provision is passed or made which changes the notifiable tax matters, the Treasury may, by regulations, amend the definitions in subsection (3) so as to make an analogous change to the matters in respect of which information may be required to be disclosed by virtue of this section.
- (5) In subsection (4)—

“the notifiable tax matters” means the arrangements, proposals or other matters in respect of which information is or may be required to be disclosed under a relevant tax provision;

“relevant tax provision” means a provision mentioned in subsection (2).
- (6) No provision made by regulations under this section may require any person to disclose to the Commissioners for Her Majesty's Revenue and Customs, or any other person, any information with respect to which a claim to legal professional privilege,

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or, in Scotland, to confidentiality of communications, could be maintained in legal proceedings.

(7) In this section—

“advantage”, in relation to any contribution, means—

- (a) the avoidance or reduction of a liability for that contribution, or
- (b) the deferral of the payment of that contribution;

“arrangements” includes any scheme, transaction or series of transactions;

“contribution” means a contribution under—

- (a) Part 1 of the Social Security Contributions and Benefits Act 1992, or
- (b) Part 1 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992;

“tax avoidance arrangements” includes arrangements which enable, or might be expected to enable, a person to obtain an advantage in relation to any tax (within the meaning of Part 7 of the Finance Act 2004).]

Textual Amendments

F160 Words in s. 132A(1) renumbered as s. 132A(1)(a) (15.3.2022) by [National Insurance Contributions Act 2022 \(c. 9\), s. 11\(a\)](#)

F161 S. 132A(1)(b) and word inserted (15.3.2022) by [National Insurance Contributions Act 2022 \(c. 9\), s. 11\(b\)](#)

Maintenance proceedings

133 Furnishing of addresses for maintenance proceedings, etc

The Secretary of State may incur expenses for the purpose of furnishing the address at which a ^[F162]person] is recorded by him as residing, where the address is required for the purpose of taking or carrying on legal proceedings to obtain or enforce an order for the making by the ^[F162]person] of payments—

- (a) for the maintenance of the ^[F163]person’s spouse, former spouse, civil partner or former civil partner]; or
- ^[F164](b) for the maintenance or education of any child of the person, or of any child of the person’s spouse, former spouse, civil partner or former civil partner.]

Textual Amendments

F162 Word in s. 133 substituted (5.12.2005) by [The Civil Partnership \(Pensions and Benefit Payments\) \(Consequential, etc. Provisions\) Order 2005 \(S.I. 2005/2053\), art. 1\(3\), Sch. para. 6\(2\)](#)

F163 Words in s. 133(a) substituted (5.12.2005) by [The Civil Partnership \(Pensions and Benefit Payments\) \(Consequential, etc. Provisions\) Order 2005 \(S.I. 2005/2053\), art. 1\(3\), Sch. para. 6\(3\)](#)

F164 S. 133(b) substituted (5.12.2005) by [The Civil Partnership \(Pensions and Benefit Payments\) \(Consequential, etc. Provisions\) Order 2005 \(S.I. 2005/2053\), art. 1\(3\), Sch. para. 6\(4\)](#)

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[^{F165}Universal Credit information]

Textual Amendments

F165 S. 133A and cross-heading inserted (26.11.2014 with effect in accordance with reg. 1(2) of the amending S.I.) by [The Universal Credit and Miscellaneous Amendments \(No.2\) Regulations 2014 \(S.I. 2014/2888\)](#), regs. 1(1), **9(1)(a)(b)**

[^{F165}133A] **Supply of universal credit information**

- (1) This section applies to information that is held by—
- (a) the Secretary of State; or
 - (b) a person providing services to the Secretary of State, in connection with the provision of those services,
- that relates to an award of universal credit.
- (2) Information to which this section applies may be supplied to—
- (a) a local housing authority;
 - (b) a licensing authority; or
 - (c) a person authorised to exercise any function of a local housing authority or a licensing authority,
- for use in connection with obtaining a rent repayment order in respect of an award of universal credit or recovering an amount payable under such an order.
- (3) For the purposes of this section—
- “licensing authority” means a person designated by order under section 3 of the Housing (Wales) Act 2014;
- “local housing authority” has the meaning given by section 261 of the Housing Act 2004; and
- “rent repayment order” means a rent repayment order as referred to in section 73 or 96 of the Housing Act 2004 or section 32 of the Housing (Wales) Act 2014.]

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to [legislation.gov.uk](#). [S.I. 2018/1125](#), reg. 8 omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))
- Act modified by [S.I. 2019/1302 art. 2](#) (This amendment not applied to [legislation.gov.uk](#) [S.I. 2019/1302](#) revoked (17.12.2020) by The Social Security (Iceland, Liechtenstein and Norway) (Citizens' Rights Agreement) (Revocation) Order 2020 (S.I. 2020/1569), arts. 1(2), 2)
- Act modified by [S.I. 2019/1303 art. 2](#) (This amendment not applied to [legislation.gov.uk](#). [S.I. 2019/1303](#) revoked (17.12.2020) by The Social Security (Switzerland) (Citizens' Rights Agreement) (Revocation) Order 2020 (S.I. 2020/1570), arts. 1(2), 2)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 2G(1)(d) inserted by [2012 c. 5 s. 59\(5\)](#)
- s. 5(1A)-(1C) inserted by [2009 c. 24 s. 22\(2\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). [S. 22](#) repealed (1.4.2013) by [2012 c. 5](#), s. 101(2); [S.I. 2013/358](#), art. 4(2))
- s. 78A inserted by [2009 c. 24 s. 16\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). [Ss. 16-21](#) repealed (1.4.2013) by [2012 c. 5](#), s. 73; [S.I. 2012/3090](#), art. 2(1)(b))
- s. 121B(1)(aa) inserted by [2007 asp 3 Sch. 5 para. 19\(a\)](#) ([S. 121B](#) repealed by [Finance Act 2008](#) (c. 9), Sch. 43 para. 14)
- s. 121B(4) words inserted by [2007 asp 3 Sch. 5 para. 19\(b\)](#) ([S. 121B](#) repealed by [Finance Act 2008](#) (c. 9), Sch. 43 para. 14)
- s. 122F(5) inserted by [2012 c. 5 Sch. 4 para. 12\(4\)](#)
- s. 122G inserted by [2009 c. 24 s. 18](#) (This amendment not applied to [legislation.gov.uk](#). [Ss. 16-21](#) repealed (1.4.2013) by [2012 c. 5](#), s. 73; [S.I. 2012/3090](#), art. 2(1)(b))
- s. 122H inserted by [2009 c. 24 s. 20\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). [Ss. 16-21](#) repealed (1.4.2013) by [2012 c. 5](#), s. 73; [S.I. 2012/3090](#), art. 2(1)(b))
- s. 134(2)-(2B) substituted for s. 134(2) by [2007 c. 5 s. 37](#)
- s. 148AB inserted by [2008 c. 30 Sch. 4 para. 14](#) (This amendment not applied to [legislation.gov.uk](#). [Sch. 4](#) paras. 13-22 repealed (1.10.2014) without ever being in force by [2014 c. 19](#), Sch. 12 para. 96(c); [S.I. 2014/2377](#), art. 2(1)(a)(ii)(3)(c))
- s. 148AB(1)(2) words substituted by [2011 c. 19 Sch. 3 para. 8\(2\)](#)
- s. 148AB(9) inserted by [2011 c. 19 Sch. 3 para. 8\(3\)](#)
- s. 151(10)(b)(i)(ii) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 160C inserted by [2012 c. 5 Sch. 2 para. 24](#)
- s. 165(1)(b)(viii) and word inserted by [2023 c. 20 Sch. para. 19\(2\)\(b\)](#)
- s. 190(1)(ac) inserted by [2009 c. 24 s. 21](#) (This amendment not applied to [legislation.gov.uk](#). [Ss. 16-21](#) repealed (1.4.2013) by [2012 c. 5](#), s. 73; [S.I. 2012/3090](#), art. 2(1)(b))
- [Sch. 4 Pt. 3 para. 5](#) word substituted by [S.I. 2010/978 art. 2](#)