



# Welfare Reform Act 2007

## 2007 CHAPTER 5

### PART 1

#### EMPLOYMENT AND SUPPORT ALLOWANCE

##### *Entitlement*

#### **5 Advance award of income-related allowance**

- (1) This section applies to claims for an employment and support allowance by a person who—
  - (a) would be entitled to an income-related allowance, but for the fact that he does not satisfy the condition in paragraph 6(1)(a) of Schedule 1,
  - (b) would satisfy that condition if he were entitled to the component mentioned in section 4(4) or (5), and
  - (c) is not entitled to a contributory allowance.
- (2) In relation to claims to which this section applies, section 5(1) of the Administration Act (regulations about claims for benefit) shall have effect as if—
  - (a) in paragraph (d) (power to permit an award on a claim for benefit for a future period to be made subject to the condition that the claimant satisfies the requirements for entitlement when the benefit becomes payable under the award), there were inserted at the end “and to such other conditions as may be prescribed”, and
  - (b) in paragraph (e) (power to provide for such an award to be revised or superseded under the Social Security Act 1998 (c. 14) if any of those requirements are found not to have been satisfied), for “any of those requirements” there were substituted “any of the conditions to which the award is made subject”.
- (3) Regulations may, in relation to claims to which this section applies, make provision enabling an award to be made on terms such that the time at which benefit becomes

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*Status: This is the original version (as it was originally enacted).*

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payable under the award is later than the start of the period for which the award is made.