



Welfare Reform Act 2012

CHAPTER 5

WELFARE REFORM ACT 2012

PART 1

UNIVERSAL CREDIT

CHAPTER 1

ENTITLEMENT AND AWARDS

Introductory

- 1 Universal credit
- 2 Claims

Entitlement

- 3 Entitlement
- 4 Basic conditions
- 5 Financial conditions
- 6 Restrictions on entitlement

Awards

- 7 Basis of awards
- 8 Calculation of awards

Elements of an award

- 9 Standard allowance
- 10 Responsibility for children and young persons
- 11 Housing costs

- 12 Other particular needs or circumstances

CHAPTER 2

CLAIMANT RESPONSIBILITIES

Introductory

- 13 Work-related requirements: introductory
14 Claimant commitment

Work-related requirements

- 15 Work-focused interview requirement
16 Work preparation requirement
17 Work search requirement
18 Work availability requirement

Application of work-related requirements

- 19 Claimants subject to no work-related requirements
20 Claimants subject to work-focused interview requirement only
21 Claimants subject to work preparation requirement
22 Claimants subject to all work-related requirements

Work-related requirements: supplementary

- 23 Connected requirements
24 Imposition of requirements
25 Compliance with requirements

Reduction of benefit

- 26 Higher-level sanctions
27 Other sanctions
28 Hardship payments

Administration

- 29 Delegation and contracting out

CHAPTER 3

SUPPLEMENTARY AND GENERAL

Supplementary and consequential

- 30 Supplementary regulation-making powers
31 Supplementary and consequential amendments
32 Power to make supplementary and consequential provision etc

Universal credit and other benefits

- 33 Abolition of benefits
34 Universal credit and state pension credit
35 Universal credit and working-age benefits
36 Migration to universal credit

General

- 37 Capability for work or work-related activity
- 38 Information
- 39 Couples
- 40 Interpretation of Part 1

Regulations

- 41 Pilot schemes
- 42 Regulations: general
- 43 Regulations: procedure

PART 2

WORKING-AGE BENEFITS

CHAPTER 1

JOBSEEKER'S ALLOWANCE

Claimant responsibilities for interim period

- 44 Claimant commitment for jobseeker's allowance
- 45 Interviews
- 46 Sanctions
- 47 Procedure for regulation-making powers
- 48 Consequential amendments

Claimant responsibilities after introduction of universal credit

- 49 Claimant responsibilities for jobseeker's allowance

CHAPTER 2

EMPLOYMENT AND SUPPORT ALLOWANCE

Conditions of entitlement

- 50 Dual entitlement
- 51 Period of entitlement to contributory allowance
- 52 Further entitlement after time-limiting
- 53 Condition relating to youth

Claimant responsibilities for interim period

- 54 Claimant commitment for employment and support allowance
- 55 Work experience etc
- 56 Hardship payments

Claimant responsibilities after introduction of universal credit

- 57 Claimant responsibilities for employment and support allowance

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

CHAPTER 3

INCOME SUPPORT

- 58 Entitlement of lone parents to income support etc
- 59 Claimant commitment for income support

CHAPTER 4

MISCELLANEOUS

Claimants dependent on drugs etc

- 60 Claimants dependent on drugs etc

Entitlement to work

- 61 Entitlement to work: jobseeker's allowance
- 62 Entitlement to work: employment and support allowance
- 63 Entitlement to work: maternity allowance and statutory payments

PART 3

OTHER BENEFIT CHANGES

Industrial injuries benefit

- 64 Injuries arising before 5 July 1948
- 65 Persons under 18
- 66 Trainees
- 67 Restriction on new claims for industrial death benefit
- 68 Determinations

Housing benefit

- 69 Housing benefit: determination of appropriate maximum

Social fund

- 70 Ending of discretionary payments
- 71 Purposes of discretionary payments
- 72 Determination of amount or value of budgeting loan
- 73 External provider social loans and community care grants

State pension credit

- 74 State pension credit: carers
- 75 State pension credit: capital limit

Working tax credit

- 76 Calculation of working tax credit

PART 4

PERSONAL INDEPENDENCE PAYMENT

Personal independence payment

- 77 Personal independence payment
- 78 Daily living component
- 79 Mobility component
- 80 Ability to carry out daily living activities or mobility activities
- 81 Required period condition: further provision

Entitlement and payability: further provision

- 82 Terminal illness
- 83 Persons of pensionable age
- 84 No entitlement to daily living component where UK is not competent state
- 85 Care home residents
- 86 Hospital in-patients
- 87 Prisoners and detainees

Supplementary

- 88 Claims, awards and information
- 89 Report to Parliament

General

- 90 Abolition of disability living allowance
- 91 Amendments
- 92 Power to make supplementary and consequential provision
- 93 Transitional
- 94 Regulations
- 95 Interpretation of Part 4

PART 5

SOCIAL SECURITY: GENERAL

Benefit cap

- 96 Benefit cap
- 97 Benefit cap: supplementary

Claims and awards

- 98 Claims and awards
- 99 Powers to require information relating to claims and awards

Payments

- 100 Payments to joint claimants
- 101 Payments on account

Appeals

- 102 Power to require consideration of revision before appeal
- 103 Supersession of decisions of former appellate bodies

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

Electronic communications

- 104 Electronic communications

Recovery of benefits

- 105 Recovery of benefit payments
106 Deduction from earnings: other cases
107 Recovery of child benefit and guardian's allowance
108 Application of Limitation Act 1980

Recovery of fines from benefit

- 109 Recovery of fines etc by deductions from employment and support allowance

Investigation and prosecution of offences

- 110 Powers to require information relating to investigations
111 Time limits for legal proceedings
112 Prosecution powers of local authorities

Penalties as alternative to prosecution

- 113 Penalty in respect of benefit fraud not resulting in overpayment
114 Amount of penalty
115 Period for withdrawal of agreement to pay penalty

Civil penalties

- 116 Civil penalties for incorrect statements and failures to disclose information

Loss of benefit

- 117 Benefit offences: disqualifying and sanctionable benefits
118 Benefit offences: period of sanction
119 Benefit offences: sanctions for repeated benefit fraud
120 Loss of tax credits
121 Cautions

Administration of tax credits

- 122 Tax credit fraud: investigation
123 Information-sharing for prevention etc of tax credit fraud
124 Tax credit fraud: prosecution and penalties
125 Unauthorised disclosure of information relating to tax credit offences
126 Tax credits: transfer of functions etc

Information-sharing: Secretary of State and HMRC

- 127 Information-sharing between Secretary of State and HMRC

Information-sharing: Secretary of State and DPP

- 128 Information-sharing between Secretary of State and DPP
129 Unlawful disclosure of information supplied under section 128

Information-sharing involving local authorities etc

- 130 Information-sharing in relation to provision of overnight care etc
- 131 Information-sharing in relation to welfare services etc
- 132 Unlawful disclosure of information supplied under section 131
- 133 Sections 130 to 132: supplementary

Information-sharing: miscellaneous

- 134 Information-sharing for social security or employment purposes etc

PART 6

MISCELLANEOUS

Tell Us Once

- 135 Functions of registration service

Child support maintenance

- 136 Supporting maintenance agreements
- 137 Collection of child support maintenance
- 138 Indicative maintenance calculations
- 139 Recovery of child support maintenance by deduction from benefit
- 140 Fees
- 141 Review of fees regulations
- 142 Exclusion from individual voluntary arrangements

Reports on decision-making

- 143 Standards of decision-making

Employment and training

- 144 Use of jobcentres by sex industry

Child poverty

- 145 Social Mobility and Child Poverty Commission
- 146 UK child poverty strategies

PART 7

FINAL

- 147 Repeals
- 148 Financial provision
- 149 Extent
- 150 Commencement
- 151 Short title

SCHEDULES

SCHEDULE 1 — Universal credit: supplementary regulation-making powers

- 1 Entitlement of joint claimants
- 2 Linking periods

- 3 Couples
- 4 Calculation of capital and income
- 5 Responsibility for children etc
- 6 Vouchers
- 7 Work-related requirements
- 8 Good reason

SCHEDULE 2 — Universal credit: amendments

- 1 Children Act 1989 (c. 41)
- 2 Child Support Act 1991 (c. 48)
- 3 Social Security Administration Act 1992 (c. 5)
- 4 In section 1 (entitlement to benefit dependent on claim), in...
- 5 In section 5 (regulations about claims and payments)—
- 6 (1) Section 15A (payment out of benefit of sums in...
- 7 In section 74 (income support and other payments), in subsection...
- 8 In section 74A (payments of benefit where maintenance payments collected...
- 9 In section 78 (recovery of social fund awards), in subsection...
- 10 In section 105 (failure to maintain - general), in subsection...
- 11 In section 106 (recovery of expenditure on benefit from person...
- 12 In section 108 (reduction of expenditure on income support etc),...
- 13 In section 109 (diversion of arrested earnings - Scotland), in...
- 14 In section 121DA (interpretation of Part 6), in subsection (1),...
- 15 In section 122B (supply of other government information for fraud...
- 16 (1) Section 122F (supply by rent officers of information relating...
- 17 In section 124 (age, death and marriage), in subsection (1)—...
- 18 In section 125 (regulations as to notification of death), in...
- 19 In section 126 (information from personal representatives), in subsection (1),...
- 20 In section 130 (duties of employers), in subsection (1), before...
- 21 In section 132 (duties of employers - statutory maternity pay...
- 22 In section 150 (uprating)— (a) in subsection (1) at the...
- 23 After section 159C there is inserted— Effect of alterations affecting...
- 24 After section 160B there is inserted— Implementation of increases in...
- 25 (1) Section 165 (adjustments between National Insurance Fund and Consolidated...
- 26 (1) In section 170 (Social Security Advisory Committee), subsection (5)...
- 27 (1) Section 179 (reciprocal agreements) is amended as follows.
- 28 In section 180 (payment of travelling expenses), in paragraphs (a)...
- 29 In section 182B (information about postal redirection), in subsection (5) (b),...
- 30 In section 187 (inalienability), in subsection (1), before paragraph (a)...
- 31 In section 191 (interpretation), in the definition of “benefit”, after...
- 32 Local Government Finance Act 1992 (c. 14)
- 33 (1) Schedule 4 is amended as follows.
- 34 In Schedule 8, in paragraph 6— (a) in sub-paragraph (1),...
- 35 Jobseekers Act 1995 (c. 18)
- 36 Housing Act 1996 (c. 52)
- 37 Education Act 1996 (c. 56)
- 38 In section 457 (charges and remissions policies) in subsection (4)(b),...
- 39 In section 512ZB (provision of free school lunches and milk:...
- 40 Social Security (Recovery of Benefits) Act 1997 (c. 27)

- 41 In section 29 (general interpretation), in the definition of “benefit”,...
- 42 In the table in Schedule 2 (calculation of compensation payment),...
- 43 Social Security Act 1998 (c. 14)
- 44 In section 2 (use of computers), in subsection (2)—
- 45 In section 8 (decisions by Secretary of State)—
- 46 In section 11 (regulations with respect to decisions), in subsection...
- 47 In section 27 (restriction on entitlement in cases of error),...
- 48 In section 28(3) (correction of errors in decisions etc)—
- 49 In section 39 (interpretation), in subsection (1), before the definition...
- 50 (1) Schedule 2 (decisions against which no appeal lies) is...
- 51 In Schedule 3 (decisions against which an appeal lies), after...
- 52 Immigration and Asylum Act 1999 (c. 33)
- 53 In section 97 (provision of support: supplemental), in subsection (5)—...
- 54 In section 115(1) (exclusion from benefits of persons subject to...
- 55 Child Support, Pensions and Social Security Act 2000 (c. 19)
- 56 Social Security Fraud Act 2001 (c. 11)
- 57 In section 6A (definitions), in subsection (1), in the definition...
- 58 (1) Section 6B (loss of benefit in case of conviction),...
- 59 (1) Section 7 (loss of benefit for second or subsequent...
- 60 (1) Section 8 (effect of offence on joint-claim jobseeker’s allowance)...
- 61 (1) Section 9 (effect of offence on benefits for members...
- 62 In section 10(3) (power to supplement and mitigate loss of...
- 63 (1) In section 11 (loss of benefit regulations), subsection (3)...
- 64 State Pension Credit Act 2002 (c. 16)
- 65 Welfare Reform Act 2007 (c. 5)

SCHEDULE 3 — Abolition of benefits: consequential amendments

- 1 Social Security Contributions and Benefits Act 1992 (c. 4)
- 2 In section 22 (earnings factors), in subsections (2)(a) and (5),...
- 3 In section 150 (interpretation of Part 10), in subsection (2),...
- 4 Social Security Administration Act 1992 (c. 5)
- 5 In section 7 (relationship between benefits), in subsection (3), for...
- 6 In section 73 (overlapping benefits), in subsections (1) and (4)(c),...
- 7 In section 159B (effect of alterations affecting state pension credit),...
- 8 In section 159D (as inserted by Schedule 2 to this...
- 9 Immigration and Asylum Act 1999 (c. 33)
- 10 Child Support, Pensions and Social Security Act 2000 (c. 19)
- 11 (1) Section 69 (discretionary financial assistance with housing) is amended...
- 12 (1) Section 70 (grants towards cost of discretionary housing payments)...
- 13 After section 70 there is inserted— Payment of grant (1) A grant under section 70 shall be made by...
- 14 Capital Allowances Act 2001 (c. 2)
- 15 Social Security Fraud Act 2001 (c. 11)
- 16 In section 6B (loss of benefit for conviction etc), in...
- 17 In section 7 (loss of benefit for repeated conviction etc),...
- 18 In section 11 (regulations), in subsection (3)(c), for the words...
- 19 Commissioners for Revenue and Customs Act 2005 (c. 11)
- 20 In section 5 (initial functions), in subsection (1), after paragraph...
- 21 In section 44 (payment into Consolidated Fund), in subsection (3),...
- 22 Welfare Reform Act 2007 (c. 5)

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- 23 In section 1 (employment and support allowance), in subsection (3) (d),...
- 24 In section 2 (amount of contributory allowance), in subsection (1),...
- 25 (1) Section 27 (financial provisions) is amended as follows.
- 26 In each of the following provisions, for “a contributory allowance”...
- 27 Corporation Tax Act 2009 (c. 4)
- 28 In section 1059 (relief relating to SME R&D: total amount...
- 29 In section 1108 (relief relating to vaccine research etc: total...

SCHEDULE 4 — Housing credit element of state pension credit

Part 1 — AMENDMENTS TO STATE PENSION CREDIT ACT 2002

- 1 State Pension Credit Act 2002 (c. 16)
- 2 In section 1 (entitlement), in subsection (2)(c), at the end...
- 3 In that section, in subsection (3)— (a) after paragraph (b)...
- 4 After section 3 there is inserted— Housing credit (1) The first of the conditions mentioned in section 1(2)(c)(iii)...
- 5 In section 7 (fixing of retirement provision for assessed income...
- 6 In section 12 (polygamous marriages), in subsection (2)(b), after “savings...”
- 7 In section 17 (interpretation), in subsection (1), after the definition...

Part 2 — AMENDMENTS TO OTHER ACTS

- 9 Social Security Administration Act 1992 (c. 5)
- 10 In section 5 (regulations about claims and payments) in subsection...
- 11 In section 15A (mortgage interest)— (a) in subsection (1A)—
- 12 (1) Section 122F (supply by rent officers of information) is...
- 13 Housing Act 1996 (c. 52)
- 14 Child Support, Pensions and Social Security Act 2000 (c. 19)

SCHEDULE 5 — Universal credit and other working-age benefits

- 1 General
- 2 Dual entitlement
- 3 Movement between working-age benefits
- 4 Hardship payments
- 5 Earnings tapers
- 6 (1) Section 2 of the Welfare Reform Act 2007 (amount...

SCHEDULE 6 — Migration to universal credit

- 1 General
- 2 Claims before the appointed day
- 3 Claims after the appointed day
- 4 Awards
- 5 Work-related requirements and sanctions
- 6 Tax credits
- 7 Supplementary

SCHEDULE 7 — Jobseeker’s allowance in interim period: consequential amendments

- 1 Jobseekers Act 1995 (c. 18)
- 2 (1) Section 8 (attendance etc) is amended as follows.
- 3 In section 16(3)(b) and 17(4) (in both places) for “good...”
- 4 In section 17A (employment schemes), in subsection (5)(c) for “jobseeker’s...”
- 5 Section 20 (exemptions from section 19) is amended as follows—...

- 6 Sections 20C and 20D (uncommenced provision relating to sanctions for...
- 7 In section 22 (members of the forces), in subsection (2),...
- 8 In section 35 (interpretation), in subsection (1), before the definition...
- 9 In section 36 (regulations and orders), after subsection (1) there...
- 10 (1) Schedule 1 (supplementary) is amended as follows.
- 11 Social Security Act 1998 (c. 14)
- 12 Social Security Fraud Act 2001 (c. 11)
- 13 Welfare Reform Act 2009 (c. 24)
- 14 In section 29(1) (victims of domestic violence), in sub-paragraph (3)...
- 15 (1) Section 31 (well-being of children) is amended as follows....
- 16 (1) Section 32 (contracting out) is amended as follows.

SCHEDULE 8 — Social fund discretionary payments: consequential amendments

- 1 The Social Security Administration Act 1992 is amended as follows....
- 2 In section 78(4) (recovery of funeral payments out of social...
- 3 In section 79 (recovery of Northern Ireland payments), in paragraph...
- 4 In Part 1 of Schedule 4 (persons employed in social...

SCHEDULE 9 — Personal independence payment: amendments

- 1 Transport Act 1982 (c. 49)
- 2 Child Support Act 1991 (c. 48)
- 3 Social Security Contributions and Benefits Act 1992 (c. 4)
- 4 In section 30B (incapacity benefit: rate), in subsection (4), after...
- 5 (1) Section 64 (entitlement to attendance allowance) is amended as...
- 6 In section 150 (Christmas bonus for pensioners: interpretation), in subsection...
- 7 Social Security Administration Act 1992 (c. 5)
- 8 (1) Section 1 (entitlement to benefit dependent on claim) is...
- 9 In section 5(2) (regulations about claims for and payments of...
- 10 In section 71(11) (overpayments), after paragraph (ac) there is inserted —...
- 11 In section 73 (overlapping benefits - general), after subsection (5)...
- 12 In section 121DA (interpretation of Part 6), in subsection (1),...
- 13 In section 122B (supply of other government information for fraud...
- 14 In section 122C (supply of information to authorities administering benefit),...
- 15 In section 124 (age, death and marriage), in subsection (1),...
- 16 In section 125 (regulations as to notification of deaths), in...
- 17 In section 150 (uprating)— (a) in subsection (1), after paragraph...
- 18 In section 159 (effect of alteration in the component rates...
- 19 In section 159A (effect of alteration of rates of a...
- 20 In section 159B (effect of alterations affecting state pension credit),...
- 21 In section 159C (effect of alteration of rates of an...
- 22 In section 160 (implementation of increases in income support due...
- 23 In section 160A (implementation of increases in income-based jobseeker's allowance...
- 24 In section 160B (implementation of increases in employment and support...
- 25 In section 165 (adjustments between National Insurance Fund and Consolidated...
- 26 In section 170 (Social Security Advisory Committee), in subsection (5) —...

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- 27 (1) Section 179 (reciprocal agreements) is amended as follows.
- 28 In section 180 (payment of travelling expenses), in paragraphs (a)...
- 29 In section 182B (information about postal redirection), in subsection (5) (b),...
- 30 In section 184 (control of pneumoconiosis), in paragraph (c), for...
- 31 In section 187 (inalienability), in subsection (1), after paragraph (ac)...
- 32 In section 191 (interpretation), in the definition of “benefit”, for...
- 33 In Schedule 7 (regulations not requiring prior submission to Social...
- 34 Social Security (Recovery of Benefits) Act 1997 (c. 27)
- 35 In section 29 (general interpretation), in the definition of “benefit”,...
- 36 In Schedule 2 (calculation of compensation payment), in the table—...
- 37 Social Security Act 1998 (c. 14)
- 38 In section 2(2) (use of computers), after paragraph (k) (inserted...
- 39 In section 8 (decisions by Secretary of State)—
- 40 In section 11(3) (regulations with respect to decisions), in the...
- 41 In section 27(7) (restriction on entitlement in cases of error),...
- 42 In section 28(3) (correction of errors in decisions etc), after...
- 43 In Schedule 3 (decisions against which an appeal lies), in...
- 44 Immigration and Asylum Act 1999 (c. 33)
- 45 Social Security Fraud Act 2001 (c. 11)
- 46 In section 6A(1) (definitions)— (a) in the definition of “disqualifying...
- 47 In section 10 (power to supplement and mitigate loss of...
- 48 Income Tax (Earnings and Pensions) Act 2003 (c. 1)
- 49 In section 677 (UK social security benefits wholly exempt from...
- 50 In Part 1 of Schedule 1 (abbreviations of Acts), at...

SCHEDULE 10 — Personal independence payment: transitional

- 1 General
- 2 Claims before the appointed day
- 3 Claims after the appointed day
- 4 Awards
- 5 Supplementary

SCHEDULE 11 — Power to require consideration of revision before appeal

- 1 Vaccine Damage Payments Act 1979 (c. 17)
- 2 (1) Section 4 (appeals to appeal tribunals) is amended as...
- 3 (1) Section 8 (regulations) is amended as follows.
- 4 Child Support Act 1991 (c. 48)
- 5 (1) Section 20 (appeals to First-tier Tribunal), as substituted by...
- 6 (1) Section 20 (appeals to First-tier Tribunal), as it has...
- 7 In section 51A (pilot schemes) at the end there is...
- 8 In section 52 (regulations and orders), in subsection (2)(a), after...
- 9 Social Security (Recovery of Benefits) Act 1997 (c. 27)
- 10 (1) Section 11 (appeals against certificates) is amended as follows....
- 11 (1) Section 30 of that Act (regulations and orders) is...
- 12 Child Support, Pensions and Social Security Act 2000 (c. 19)
- 13 (1) Paragraph 6 (housing benefit and council tax benefit: appeal...
- 14 In paragraph 20(4) (regulations subject to affirmative procedure) for “or...
- 15 Child Maintenance and Other Payments Act 2008 (c. 6)
- 16 In section 49(2) (regulations regarding reconsideration) after “and” there is...
- 17 (1) Section 50 (appeals to First-tier Tribunal) is amended as...

18 (1) Section 53 (regulations under Part 4) is amended as...

SCHEDULE 12 — Supersession of decisions of former appellate bodies

- 1 Child Support Act 1991 (c. 48)
- 2 (1) Section 17 (decisions superseding earlier decisions) is amended as...
- 3 (1) In Schedule 4C (departure directions), paragraph 2 is amended...
- 4 Social Security Act 1998 (c. 14)
- 5 Child Support, Pensions and Social Security Act 2000 (c. 19)

SCHEDULE 13 — Social Mobility and Child Poverty Commission

Part 1 — ESTABLISHMENT OF SOCIAL MOBILITY AND CHILD POVERTY COMMISSION

- 1 The Child Poverty Act 2010 is amended as follows.
- 2 For section 8 (and the preceding italic heading) there is...
- 3 For Schedule 1 (Child Poverty Commission) there is substituted—
SCHEDULE...

Part 2 — SUPPLEMENTARY AMENDMENTS TO CHILD POVERTY ACT 2010

- 4 The Child Poverty Act 2010 is amended as follows.
 - 5 In section 6 (persistent poverty target), subsection (6)(b) and the...
 - 6 In section 10 (provision of advice and consultation)—
 - 7 In section 13 (advice and consultation: Scotland and Northern Ireland)
—...
 - 8 (1) In the italic heading preceding section 14, for “Reports”...
 - 9 (1) Section 15 (statement in relation to target year) is...
 - 10 In section 16 (economic and fiscal circumstances), in subsection (1)
(b),...
 - 11 (1) Section 18 (interpretation) is amended as follows.
 - 12 In section 28 (regulations and orders), in subsection (5)(b), after...
 - 13 (1) Schedule 2 (continuing effect of targets) is amended as...
- Part 3 — SUPPLEMENTARY AMENDMENTS TO OTHER ACTS
- 14 In Schedule 1 to the Public Records Act 1958 (definition...
 - 15 In Schedule 2 to the Parliamentary Commissioner Act 1967
(departments...
 - 16 (1) In Part 2 of Schedule 1 to the House...
 - 17 In Part 6 of Schedule 1 to the Freedom of...

SCHEDULE 14 — Repeals

Part 1 — ABOLITION OF BENEFITS SUPERSEDED BY UNIVERSAL CREDIT

Part 2 — ENTITLEMENT TO JOBSEEKER’S ALLOWANCE WITHOUT SEEKING EMPLOYMENT

Part 3 — JOBSEEKER’S ALLOWANCE: RESPONSIBILITIES FOR INTERIM PERIOD

Part 4 — JOBSEEKER’S ALLOWANCE: RESPONSIBILITIES AFTER INTRODUCTION OF UNIVERSAL CREDIT

Part 5 — EMPLOYMENT AND SUPPORT ALLOWANCE: RESPONSIBILITIES AFTER INTRODUCTION OF UNIVERSAL CREDIT

Part 6 — CLAIMANTS DEPENDENT ON DRUGS ETC

Part 7 — INDUSTRIAL INJURIES ARISING BEFORE 5 JULY 1948

Part 8 — SOCIAL FUND: ENDING OF DISCRETIONARY PAYMENTS

Part 9 — DISABILITY LIVING ALLOWANCE

Part 10 — POWERS TO REQUIRE INFORMATION RELATING TO CLAIMS AND AWARDS

Part 11 — RECOVERY OF BENEFIT PAYMENTS

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

Part 12 — LOSS OF BENEFIT: CAUTIONS

Part 13 — INFORMATION-SHARING BETWEEN SECRETARY OF STATE AND
HMRC

Part 14 — STANDARDS OF DECISION-MAKING