



Social Security Administration (Fraud) Act 1997

1997 CHAPTER 47

Supply and use of information

3 Authorities administering housing benefit or council tax benefit.

[^{F1}After section 122B of the ^{M1}Social Security Administration Act 1992 (inserted by section 2(1)) insert—

“ Authorities administering housing benefit or council tax benefit

Supply of information to authorities administering benefit.

- (1) This section applies to information relating to social security 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.
- (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 offences relating to housing benefit or council tax benefit; or

Changes to legislation: There are currently no known outstanding effects for the Social Security Administration (Fraud) Act 1997, Section 3. (See end of Document for details)

- (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 ^{M2}Jobseekers Act 1995 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).

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 benefit administration 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.
- (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.
- (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 prescribed.

Changes to legislation: There are currently no known outstanding effects for the Social Security Administration (Fraud) Act 1997, Section 3. (See end of Document for details)

- (4) In subsection (1) above “benefit administration information”, in relation to an authority or other person, means any information which is relevant to the exercise of any function relating to housing benefit or council tax 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 housing benefit or council tax benefit; or
 - (b) in developing policy relating to housing benefit or council tax benefit.

Supply of information between authorities administering benefit.

- (1) This section applies to benefit administration information which is held by—
- (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.
- (2) Information to which this section applies may be supplied to another such authority or person—
- (a) for use in the prevention, detection, investigation or prosecution of offences relating to housing benefit or council tax benefit; or
 - (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.
- (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.
- (4) Information shall be supplied under subsection (3) above in such manner and form, and in accordance with such requirements, as may be prescribed.
- (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.
- (6) In this section “benefit administration information”, in relation to an authority or other person, means any information which is relevant to the exercise of any function relating to housing benefit or council tax benefit 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

- F1** S. 3 repealed (1.4.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 1](#); [S.I. 2013/358](#), art. 8(c), [Sch. 4](#) (with art. 9, Sch. 5)

Changes to legislation: There are currently no known outstanding effects for the Social Security Administration (Fraud) Act 1997, Section 3. (See end of Document for details)

Commencement Information

- I1** S. 3 partly in force; s. 3 not in force at Royal Assent, see s. 25; s. 3 in force at 1.7.1997 (except insertion of s. 122E(3) and (4)) by [S.I. 1997/1577](#), [art. 2](#), [Sch.](#)
- I2** S. 3 in force at 2.3.2004 in so far as not already in force by [S.I. 2004/564](#), [art. 2](#)

Marginal Citations

- M1** 1992 c. 5.
- M2** 1995 c. 18.

Changes to legislation:

There are currently no known outstanding effects for the Social Security Administration (Fraud) Act 1997, Section 3.