



Social Security Fraud Act 2001

2001 CHAPTER 11

Loss of benefit provisions

10 Power to supplement and mitigate loss of benefit provisions

- (1) The Secretary of State may by regulations provide for any social security benefit to be treated for the purposes of [^{F1}sections 6A to 9]—
 - (a) as a disqualifying benefit but not a sanctionable benefit; or
 - (b) as neither a sanctionable benefit nor a disqualifying benefit.
- (2) The Secretary of State may by regulations provide for any restriction in section [^{F2}6B,] 7, 8 or 9 not to apply in relation to payments of benefit to the extent of any deduction that (if any payment were made) would fall, in pursuance of provision made by or under any enactment, to be made from the payments and paid to a person other than the offender or, as the case may be, a member of his family.
- (3) In this section “social security benefit” means—
 - (a) any benefit under the Social Security Contributions and Benefits Act 1992 (c. 4) or the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7);^{F3}...
 - (b) any benefit under the Jobseekers Act 1995 (c. 18) or the Jobseekers (Northern Ireland) Order 1995 (S.I. 1995/2705 (N.I. 15));
 - [^{F4}(bb) any benefit under the State Pension Credit Act 2002 or under any provision having effect in Northern Ireland corresponding to that Act; or]
 - [^{F5}(bc) any benefit under Part 1 of the Welfare Reform Act 2007 (employment and support allowance) or under any provision having effect in Northern Ireland corresponding to that Part;]
 - [^{F6}(bd) any benefit under Part 1 of the Welfare Reform Act 2012 (universal credit) or under any provision having effect in Northern Ireland corresponding to that Part;]
 - [^{F7}(be) any benefit under Part 4 of the Welfare Reform Act 2012 (personal independence payment) or under any provision in Northern Ireland which corresponds to that Part;]

Changes to legislation: Social Security Fraud Act 2001, Section 10 is up to date with all changes known to be in force on or before 19 September 2023. 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

- [^{F8}(bf) state pension or a lump sum under Part 1 of the Pensions Act 2014 or under any provision in Northern Ireland which corresponds to that Part;]
- [^{F9}(bg) bereavement support payment under section 30 of the Pensions Act 2014 or under any provision in Northern Ireland which corresponds to that section;]
- (c) any war pension.

Textual Amendments

- F1** Words in s. 10(1) substituted (12.1.2010 for specified purposes, 1.4.2010 in so far as not already in force) by [Welfare Reform Act 2009 \(c. 24\)](#), s. 61(3), **Sch. 4 para. 5(2)**; S.I. 2010/45, art. 2(1)(2)
- F2** Word in s. 10(2) inserted (12.1.2010 for specified purposes, 1.4.2010 in so far as not already in force) by [Welfare Reform Act 2009 \(c. 24\)](#), s. 61(3), **Sch. 4 para. 5(3)**; S.I. 2010/45, art. 2(1)(2)
- F3** Word in s. 10(3) repealed (6.10.2003) by [State Pension Credit Act 2002 \(c. 16\)](#), s. 22(3), **Sch. 3**; S.I. 2003/1766, art. 2(a)
- F4** S. 10(3)(bb) inserted (2.7.2002 for the purpose of making regulations, 6.10.2003 in so far as not already in force) by [2002 c. 16](#), ss. 14, 22, **Sch. 2**, para.47; S.I. 2002/1691, **art. 2**; S.I. 2003/1766, art. 2(a)
- F5** S. 10(3)(bc) inserted (27.10.2008) by [Welfare Reform Act 2007 \(c. 5\)](#), s. 70(2), **Sch. 3 para. 23(6)**; S.I. 2008/787, art. 2(4)(f)
- F6** S. 10(3)(bd) inserted (1.4.2013) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), **Sch. 2 para. 62**; S.I. 2013/358, art. 6(4)(d)(ii)
- F7** S. 10(3)(be) 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. 47**; S.I. 2013/358, art. 7(1)(2)(k), Sch. 3; S.I. 2013/1250, art. 2
- F8** S. 10(3)(bf) inserted (6.4.2016 unless brought into force earlier by an order under s. 56(1) of the amending Act) by [Pensions Act 2014 \(c. 19\)](#), s. 56(4), **Sch. 12 para. 41**
- F9** S. 10(3)(bg) inserted (6.4.2017) by [Pensions Act 2014 \(c. 19\)](#), s. 56(1), **Sch. 16 para. 45**; S.I. 2017/297, art. 3(2) (with arts. 45)

Commencement Information

- I1** S. 10 wholly in force at 1.4.2002; s. 10 not in force at Royal Assent see s. 20; s. 10 in force for specified purposes at 17.11.2001 and wholly in force at 1.4.2002 by [S.I. 2001/3689](#), **art. 2(1)(a)(b)**

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 10(2) word repealed by [2012 c. 5 Sch. 14 Pt. 1](#)

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

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

- s. 6B(7)(d) inserted by [2012 c. 5 Sch. 2 para. 58\(4\)](#)
- s. 7(4)(d) inserted by [2012 c. 5 Sch. 2 para. 59\(4\)](#)
- s. 8(3)(aa) inserted by [2012 c. 5 Sch. 2 para. 60\(2\)\(b\)](#)
- s. 8(4)(d) inserted by [2012 c. 5 Sch. 2 para. 60\(3\)](#)
- s. 9(4)(d) inserted by [2012 c. 5 Sch. 2 para. 61\(5\)](#)