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## SCHEDULES

### SCHEDULE 5

#### MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO PART 2

##### *Social Security Administration Act 1992 (c. 5)*

- 2 The Administration Act is amended as follows.
- 3 In section 134 (arrangements for housing benefit)—
- (a) in subsection (8)(a) before “war” in each place insert “ prescribed ”;
  - (b) in that subsection omit “or surviving civil partner's”;
  - (c) after subsection (13) insert—
- “(14) In this section “war widow's pension” includes any corresponding pension payable to a widower or surviving civil partner.”
- 4 In section 139 (arrangements for council tax benefit)—
- (a) in subsection (6)(a) before “war” in each place insert “ prescribed ”;
  - (b) in subsection (11) omit the definition of “war disablement pension” and for the definition of “war widow's pension” substitute—
- ““war widow's pension” includes any corresponding pension payable to a widower or surviving civil partner.”
- 5 In section 139E (information about attainment of standards), in subsection (1)—
- (a) for “section 139D(3)” substitute “ section 139D(3A) or (3B) ”;
  - (b) after paragraph (a) insert—
- “(aa) whether the authority has taken the action which it has been directed to take;”;
- (c) in paragraph (b) after “those standards” insert “ or take that action ”.

**Annotations:**

**Commencement Information**

- II** [Sch. 5 para. 5](#)  
in force at 1.4.2008 by  
[S.I. 2008/411](#)  
,  
[art. 2\(3\)\(c\)](#)

- 6 (1) Section 139F (enforcement notices) is amended as follows.
- (2) In subsection (1)—
- (a) for “section 139D(3)” substitute “ section 139D(3A) or (3B) ”;
  - (b) after paragraph (a) insert—

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- “(aa) is not satisfied that the authority has taken the action which it has been directed to take;”;
- (c) in paragraph (b) after “those standards” insert “ or take that action ”.
- (3) In subsection (2)(a), after “paragraph (a)” insert “ , (aa) ”.
- (4) In subsection (4), at the beginning insert “ If the notice identifies directions under section 139D(3A), ”.
- (5) After subsection (4) insert—
- “(4A) If the notice identifies directions under section 139D(3B), the authority's response shall either—
- (a) state that the authority has taken the action, or is likely to take it within the time specified in the directions, and justify that statement; or
- (b) state that the authority has not taken the action, or is not likely to take it within that time, and (if the authority wishes) give reasons why a determination under section 139G below should not be made or should not include any particular provision.”

**Annotations:**

**Commencement Information**

**I2** [Sch. 5 para. 6](#)  
 in force at 1.4.2008 by  
[S.I. 2008/411](#)  
 ,  
[art. 2\(3\)\(c\)](#)

- 7 (1) Section 139G (enforcement determinations) is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (a) after “the standards” insert “ or taken the action ”;
- (b) in paragraph (b) after “those standards” insert “ or take that action ”.
- (3) In subsections (3) and (5)(c), after “the standards” insert “ or the taking of the action ”.

**Annotations:**

**Commencement Information**

**I3** [Sch. 5 para. 7](#)  
 in force at 1.4.2008 by  
[S.I. 2008/411](#)  
 ,  
[art. 2\(3\)\(c\)](#)

- 8 (1) In section 140A(2)(c) (subsidies to certain authorities), for “or levying authority” substitute “ and to each local authority in Scotland ”.
- (2) Sub-paragraph (1) must be taken to have had effect from 1 April 1997 (the date of the coming into force of section 140A of that Act).

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- 9 In section 140B(5A) (calculation of amount of subsidy), for “section 139D(3)” substitute “ section 139D(3A) or (3B) ”.

**Annotations:**

**Commencement Information**

- I4** [Sch. 5 para. 9](#)  
in force at 1.4.2008 by  
[S.I. 2008/411](#)  
,  
[art. 2\(3\)\(c\)](#)

- 10 In section 191 (interpretation), in the definition of “prescribe” at the end insert “ and “prescribed” must be construed accordingly ”.

**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. 2016/1050  
reg. 2(2)

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

- s. 1(3)(aa) inserted by  
2012 c. 5  
s. 54(2)
- s. 1(3)(za) inserted by  
2012 c. 5  
s. 62(2)
- s. 1(3A) inserted by  
2012 c. 5  
s. 53
- s. 1(3A) words repealed by  
2012 c. 5  
Sch. 14  
Pt. 1
- s. 1(3B) inserted by  
2012 c. 5  
s. 62(3)
- s. 1(6A) inserted by  
2012 c. 5  
s. 50(1)
- s. 1(6A) (7) repealed by  
2012 c. 5  
Sch. 14  
Pt. 1
- s. 1A inserted by  
2012 c. 5  
s. 51(1)
- s. 1A heading word repealed by  
2012 c. 5  
Sch. 14  
Pt. 1
- s. 1A(1) words repealed by  
2012 c. 5  
Sch. 14  
Pt. 1
- s. 1A(1) words substituted by  
2012 c. 5  
Sch. 3  
para. 26(a)
- s. 1A(3) (4) words repealed by  
2012 c. 5  
Sch. 14  
Pt. 1
- s. 1A(3) s. 1A(4) s. 1A(5) (6) words substituted by  
2012 c. 5  
Sch. 3

- para. 26(a)
  - s. 1B inserted by  
2012 c. 5
  - s. 52(1)
    - s. 1B(1) words substituted by  
2012 c. 5
    - Sch. 3
  - para. 26(b)
    - s. 1B(2) repealed by  
2012 c. 5
    - Sch. 14
    - Pt. 1
  - s. 1C inserted by  
2012 c. 5
  - s. 54(3)
    - s. 1C repealed by  
2012 c. 5
    - Sch. 14
    - Pt. 5
  - s. 2(6) inserted by  
2012 c. 5
  - Sch. 5
  - para. 6(3)
    - s. 11-11K and cross-heading substituted for s. 11-16 and cross-heading by  
2012 c. 5
    - s. 57(2)
  - s. 13(6A) inserted by  
2009 c. 24
  - s. 3(4)(b)
    - s. 13(8) inserted by  
2012 c. 5
    - s. 55
  - s. 14(5) amendment to earlier affecting provision 2009 c. 24, s. 31(2) by  
2012 c. 5
  - s. 54(7)
    - s. 14(5) inserted by  
2009 c. 24
    - s. 31(2)
  - s. 15(1) s. 15(1A) (2) substituted for s. 15(1)(2) by  
2009 c. 24
  - s. 10
    - s. 15A inserted by  
2009 c. 24
    - Sch. 3
  - para. 6
    - s. 15A repealed by  
2012 c. 5
    - s. 60(2)
  - s. 16(1)(d)-(f) inserted by  
2009 c. 24
  - Sch. 3
  - para. 8(2)(a)
    - s. 16(1)(d)-(f) repealed by  
2012 c. 5
    - Sch. 14
    - Pt. 6
  - s. 16(1)(za) inserted by  
2012 c. 5

- s. 54(5)
- s. 16A inserted by  
2012 c. 5
- s. 56
- s. 16A repealed by  
2012 c. 5  
Sch. 14  
Pt. 5
- s. 24(3A) (3B) inserted by  
2009 c. 24
- s. 3(5)
- s. 24(3A) (3B) repealed by  
2012 c. 5  
Sch. 14  
Pt. 5
- s. 26(1)(d) inserted by  
2009 c. 24  
Sch. 3  
para. 8(4)
- s. 26(1)(d) repealed by  
2012 c. 5  
Sch. 14  
Pt. 6
- s. 26(1)(aa) inserted by  
2012 c. 5
- s. 57(6)
- s. 26(3) inserted by  
2012 c. 5
- s. 51(3)
- Sch. 1 para. 6(1)(da) inserted by  
2009 c. 24
- s. 5(2)(a)
- Sch. 1 para. 6(2A) inserted by  
2009 c. 24
- s. 5(2)(b)
- Sch. 1 para. 1(5)(za) inserted by  
2012 c. 5  
Sch. 2  
para. 65
- Sch. 1 para. 1(2)-(3A) substituted for Sch. 1 para. 1(2)(3) by  
2009 c. 24
- s. 13(4)
- Sch. 1A inserted by  
2009 c. 24  
Sch. 3  
para. 7
- Sch. 1A repealed by  
2012 c. 5
- s. 60(2)
- Sch. 2 para. 10A inserted by  
2009 c. 24
- s. 30(2)
- Sch. 2 para. 4A and cross-heading inserted by  
2012 c. 5
- s. 54(6)
- Sch. 2 para. 10ZA inserted by  
2012 c. 5
- s. 57(7)(b)

- Sch. 2 para. 10B and cross-heading inserted by  
[2012 c. 5](#)  
[s. 57\(8\)](#)
- Sch. 2 para. 4B and cross-heading inserted by  
[2012 c. 5](#)  
[s. 62\(4\)](#)
- Sch. 2 para. 11(b)(c) repealed by  
[2012 c. 5](#)  
[Sch. 14](#)  
[Pt. 1](#)
- Sch. 2 para. 12(ca) repealed in part by  
[2012 c. 5](#)  
[Sch. 14](#)  
[Pt. 6](#)
- Sch. 2 para. 10A heading word substituted by  
[2012 c. 5](#)  
[s. 57\(7\)\(a\)](#)
- Sch. 2 para. 10A(1) words inserted by  
[2009 c. 24](#)  
[Sch. 3](#)  
[para. 8\(5\)\(a\)](#)
- Sch. 2 para. 10A(1) words repealed by  
[2012 c. 5](#)  
[Sch. 14](#)  
[Pt. 6](#)
- Sch. 2 para. 10A(1) words substituted by  
[2012 c. 5](#)  
[s. 57\(7\)\(c\)\(i\)](#)
- Sch. 2 para. 10A(1) words substituted by  
[2012 c. 5](#)  
[s. 57\(7\)\(c\)\(ii\)](#)
- Sch. 4 para. 7(2)(f) inserted by  
[2012 c. 5](#)  
[s. 51\(4\)](#)

**Commencement Orders yet to be applied to the Welfare Reform Act 2007**

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2010/293](#)  
[art. 2](#)  
commences (  
[2009 c. 24](#)  
)
- [S.I. 2010/2377](#)  
[art. 2](#)  
commences (  
[2009 c. 24](#)  
)
- [S.I. 2011/2427](#)  
[art. 2](#)  
commences (  
[2009 c. 24](#)  
)
- [S.I. 2011/2857](#)  
[art. 2](#)  
commences (  
[2009 c. 24](#)  
)

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