



Welfare Reform Act 2012

2012 CHAPTER 5

PART 3

OTHER BENEFIT CHANGES

Social fund

70 Ending of discretionary payments

- (1) Section 138(1)(b) of the Social Security Contributions and Benefits Act 1992 (discretionary payments out of social fund) is repealed.
- (2) In consequence of the provision made by subsection (1), the office of the social fund Commissioner is abolished.
- (3) Payments are to be made out of the social fund into the Consolidated Fund in respect of—
 - (a) amounts allocated under section 168 of the Social Security Administration Act 1992 to the making of such payments as are mentioned in section 138(1)(b) but which are not so applied in consequence of subsection (1);
 - (b) sums relating to such payments as are mentioned in section 138(1)(b) that are paid into the social fund under section 164 of the Social Security Administration Act 1992.
- (4) The payments are to be such as the Secretary of State determines in accordance with any directions of the Treasury to be appropriate.
- (5) Subsection (3) is not to prevent the Secretary of State from re-allocating amounts allocated under section 168(1) of the Social Security Administration Act 1992.
- (6) The Secretary of State may by order provide for the transfer of property, rights and liabilities from the social fund Commissioner.
- (7) An order under this section may—

Changes to legislation: Welfare Reform Act 2012, Cross Heading: Social fund is up to date with all changes known to be in force on or before 18 April 2024. 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

- (a) provide for the transfer of property, rights and liabilities whether or not they would otherwise be capable of being transferred;
 - (b) make such supplementary, incidental, consequential or transitional provision as the Secretary of State considers appropriate.
- (8) An order under this section is to be made by statutory instrument.
- (9) A statutory instrument containing an order under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (10) Schedule 8 contains consequential amendments.

Commencement Information

- I1** S. 70(1) (3)-(10) in force at 1.4.2013 by [S.I. 2012/3090](#), [art. 2\(1\)\(a\)](#) (with [art. 3](#))
- I2** S. 70(2) in force at 1.8.2013 by [S.I. 2012/3090](#), [art. 2\(2\)\(a\)](#)

71 Purposes of discretionary payments

In section 138 of the Social Security Contributions and Benefits Act 1992 (payments out of the social fund), in subsection (1)(b), for “to meet other needs” there is substituted “to meet—

- (i) other needs, and
- (ii) in the case of payments by way of budgeting loan, those needs for which provision is made by paragraph (a),”.

72 Determination of amount or value of budgeting loan

- (1) Section 140 of the Social Security Contributions and Benefits Act 1992 (principles of determination) is amended as follows.
- (2) In subsection (4), after paragraph (d) there is inserted—
- “(da) that the amount or value of a budgeting loan is not to exceed a sum specified or determined as specified in the direction;”.
- (3) After subsection (4) there is inserted—
- “(4ZA) A direction under subsection (4)(da) may require the sum to be determined by applying, or by a method that includes applying, a multiplier specified in the direction in circumstances specified in the direction to the most recent relevant sum published by the Secretary of State.
- (4ZB) A relevant sum is a sum determined from time to time by reference to so much of any relevant allocation under section 168(1) to (4) of the Administration Act as is available for making payments.”

73 External provider social loans and community care grants

Sections 16 to 21 of the Welfare Reform Act 2009 (provisions relating to external provider social loans and community care grants), which have not been brought into force, are repealed.

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Commencement Information

I3 S. 73 in force at 1.4.2013 by [S.I. 2012/3090](#), [art. 2\(1\)\(b\)](#)

Changes to legislation:

Welfare Reform Act 2012, Cross Heading: Social fund is up to date with all changes known to be in force on or before 18 April 2024. 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.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2013/1511 by [S.I. 2017/57 art. 51314Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/2657 by [S.I. 2016/596 art. 4-6Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/2657 by [S.I. 2017/57 art. 1315Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/2846 by [S.I. 2016/596 art. 347Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/983 by [S.I. 2018/138 art. 3](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/983 by [S.I. 2019/10 reg. 3\(1\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/983 by [S.I. 2019/167 art. 5\(2\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/983, art. 5A(1), 6(1) by [S.I. 2017/483 art. 2](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/1583 by [S.I. 2017/664 art. 5Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/209 by [S.I. 2016/596 art. 348Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/209 by [S.I. 2017/57 art. 1016Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by [S.I. 2016/596 art. 59Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by [S.I. 2016/963 art. 37813Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by [S.I. 2017/584 art. 5Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by [S.I. 2017/664 art. 5Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2016/596 art. 3-510Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2016/963 art. 46-1214Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2017/57 art. 3-9111217Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2017/584 art. 346-9Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2017/664 art. 3-57-9Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2016/596 art. 3411Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2016/963 art. 3-1215Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2017/57 art. 3-7912Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2017/584 art. 346-9Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2017/664 art. 3-9Sch.](#)

- specified provision(s) amendment to earlier commencing S.I. 2015/33 by [S.I. 2018/138 art. 6](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by [S.I. 2019/10 reg. 3\(2\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by [S.I. 2019/167 art. 5\(3\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by [S.I. 2019/37 art. 5](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33, art. 6(11) by [S.I. 2017/483 art. 3](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by [S.I. 2018/138 art. 6](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by [S.I. 2019/10 reg. 3\(3\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by [S.I. 2019/167 art. 5\(4\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by [S.I. 2019/37 art. 5](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634, art. 7(2) by [S.I. 2017/376 reg. 4](#)
- specified provision(s) amendment to earlier commencing S.I. 2016/596 by [S.I. 2016/963 art. 17](#)
- specified provision(s) amendment to earlier commencing S.I. 2019/37 by [S.I. 2019/935 art. 2](#)
- specified provision(s) modification of earlier commencing S.I. 2014/1583 by [S.I. 2018/532 art. 3Sch.](#)
- specified provision(s) modification of earlier commencing S.I. 2014/2321 by [S.I. 2018/532 art. 3Sch.](#)
- specified provision(s) modification of earlier commencing S.I. 2015/101 by [S.I. 2018/532 art. 3Sch.](#)
- specified provision(s) modification of earlier commencing S.I. 2015/1537 by [S.I. 2018/532 art. 3Sch.](#)
- specified provision(s) modification of earlier commencing S.I. 2015/634 by [S.I. 2018/532 art. 5](#)