

*These notes relate to the Welfare Reform (Further Provision) (Scotland) Act 2012 (asp 10) which received Royal Assent on 7 August 2012*

# **WELFARE REFORM (FURTHER PROVISION) (SCOTLAND) ACT 2012**

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## **EXPLANATORY NOTES**

### **OVERVIEW OF THE ACT**

#### ***Section 3: Regulations under this Act: ancillary provision***

19. This section contains general provisions which apply to any regulations made under sections 1 and 2.
20. Subsection (2) provides that the regulations may make provision which is either in direct or indirect consequence of the UK Act. Provision can also be made which is not itself in consequence of the UK Act but concerns a matter which is, or previously was, in consequence of the UK Act. This will allow the Scottish Ministers to make provision required for reasons which are not in direct or indirect consequence of the UK Act. For example, if the powers enabled by this Act are used to establish an income threshold for entitlement to certain passported benefits then, in future, the Scottish Ministers may wish to vary that income threshold. Such variation may not be in direct or indirect consequence of the UK Act but in consequence of something else, such as a rise in the rate of inflation. It would, however, be linked to a matter which was in consequence of the UK Act.
21. Subsection (3) provides for the regulations to make different provision for different cases or purposes and to include supplemental, incidental, consequential, transitional, transitory or saving provision.