



Social Security Fraud Act 2001

2001 CHAPTER 11

Obtaining and sharing information

5 Exchange of information with overseas authorities

- (1) In Part 14 of the Administration Act (social security systems outside Great Britain), after section 179 there shall be inserted the following section—

“179A Exchange of information with overseas authorities

- (1) This section applies where it appears to the Secretary of State—
- (a) that there are arrangements in force for the exchange of relevant information between him and any authorities in a country outside the United Kingdom (‘the overseas country’); and
 - (b) that the arrangements and the law in force in the overseas country are such as to ensure that there are adequate safeguards in place against any improper use of information disclosed by the Secretary of State under this section.
- (2) For the purpose of facilitating the carrying out by authorities in the overseas country of any function relating to anything corresponding to, or in the nature of, a social security benefit, the Secretary of State may make any such disclosure of relevant information to authorities in the overseas country as he considers necessary to give effect to the arrangements.
- (3) It shall be the duty of the Secretary of State to take all such steps as may be reasonable for securing that relevant information disclosed to him in accordance with the arrangements is not used for any purpose for which its use is not expressly or impliedly authorised by or under the arrangements.
- (4) This section does not apply where provision is in force under section 179 above for giving effect to the arrangements in question.
- (5) The purposes for which information may be required to be disclosed to the Secretary of State under section 122D above or section 116D of the

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Northern Ireland Administration Act (information required from authorities administering housing benefit or council tax benefit) shall be deemed to include the further disclosure of that information in accordance with this section.

- (6) In this section “relevant information” means any information held by the Secretary of State or any authorities in a country outside the United Kingdom for the purposes of any functions relating to, or to anything corresponding to or in the nature of, a social security benefit.”
- (2) In Part 13 of the Social Security Administration (Northern Ireland) Act 1992 (c. 8) (social security systems outside Northern Ireland), after section 155 there shall be inserted the following section—

“155A Exchange of information with overseas authorities

- (1) This section applies where it appears to the Department—
- (a) that there are arrangements in force for the exchange of relevant information between the Department and any authorities in a country outside the United Kingdom (“the overseas country”); and
 - (b) that the arrangements and the law in force in the overseas country are such as to ensure that there are adequate safeguards in place against any improper use of information disclosed by the Department under this section.
- (2) For the purpose of facilitating the carrying out by authorities in the overseas country of any function relating to anything corresponding to, or in the nature of, a social security benefit, the Department may make any such disclosure of relevant information to authorities in the overseas country as the Department considers necessary to give effect to the arrangements.
- (3) It shall be the duty of the Department to take all such steps as may be reasonable for securing that relevant information disclosed to it in accordance with the arrangements is not used for any purpose for which its use is not expressly or impliedly authorised by or under the arrangements.
- (4) This section does not apply where provision is in force under section 155 above for giving effect to the arrangements in question.
- (5) The purposes for which information may be required to be disclosed to the Department under section 116D above or section 122D of the Great Britain Administration Act (information required from authorities administering housing benefit or council tax benefit) shall be deemed to include the further disclosure of that information in accordance with this section.
- (6) In this section “relevant information” means any information held by the Department or any authorities in a country outside the United Kingdom for the purposes of any functions relating to, or to anything corresponding to or in the nature of, a social security benefit.”

Extent Information

E1 [S. 5\(1\)](#) extends to Great Britain and [s. 5\(2\)](#) extends to U.K., see [s. 21\(2\)](#)

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Commencement Information

II S. 5 in force at 14.2.2003 by [S.I. 2003/273](#), **art. 2**

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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\(5\)](#)