

Status: Point in time view as at 03/07/2007. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: Welfare Reform Act 2007, Cross Heading: Social Security Administration Act 1992 (c. 5) is up to date with all changes known to be in force on or before 11 May 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)

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.”

VALID FROM 01/04/2008

- 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 ”.

VALID FROM 01/04/2008

- 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—
- “(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 ”.

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- (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.”

VALID FROM 01/04/2008

- 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 ”.

- 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).

VALID FROM 01/04/2008

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

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

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