



# Welfare Reform Act 2007

## 2007 CHAPTER 5

### PART 3

#### SOCIAL SECURITY ADMINISTRATION: GENERAL

#### *Benefit fraud*

#### [<sup>F1</sup>46 **Local authority powers to investigate benefit fraud**

- (1) Section 110A of the Administration Act (authorisation of investigations by authorities administering housing benefit or council tax benefit) is amended as follows.
- (2) In subsection (1) for “any one or more of the purposes mentioned in subsection (2) below” substitute “a relevant purpose”.
- (3) After subsection (1) insert—
  - “(1A) Each of the following is a relevant purpose—
    - (a) a purpose mentioned in subsection (2) below;
    - (b) a purpose mentioned in section 109A(2)(a), (c) or (d).
  - (1B) If the Secretary of State prescribes conditions for the purposes of this section, an authority must not proceed under this section for a purpose mentioned in section 109A(2)(a), (c) or (d) unless any such condition is satisfied.
  - (1C) An authorisation made for a purpose mentioned in section 109A(2)(a), (c) or (d)—
    - (a) is subject to such restrictions as may be prescribed;
    - (b) is not valid in such circumstances as may be prescribed.”
- (4) In subsection (2) for “Those purposes” substitute “The purposes in this subsection”.
- (5) In subsection (8), after paragraph (c) insert— “but paragraphs (a) and (b) above do not apply in any case where the relevant purpose is as mentioned in subsection (1A) (b) above.”]

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*Status: Point in time view as at 01/04/2013.*

*Changes to legislation: Welfare Reform Act 2007, Section 46 is up to date with all changes known to be in force on or before 05 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)*

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#### **Textual Amendments**

- F1** S. 46 repealed (1.4.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 1](#); [S.I. 2013/358](#), art. 8(c), [Sch. 4](#) (with arts. 9, 10, Sch. 5)
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#### **Commencement Information**

- I1** S. 46 in force at 19.2.2008 for specified purposes by [S.I. 2008/411](#), [art. 2\(4\)\(a\)](#)
- I2** S. 46 in force at 7.4.2008 in so far as not already in force by [S.I. 2008/411](#), [art. 2\(5\)](#)

**Status:**

Point in time view as at 01/04/2013.

**Changes to legislation:**

Welfare Reform Act 2007, Section 46 is up to date with all changes known to be in force on or before 05 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.