



# Prevention of Social Housing Fraud Act 2013

## 2013 CHAPTER 3

### 7 **Regulations about powers to require information** **E+W**

- (1) The appropriate authority may by regulations provide for the exercise, for prescribed housing fraud investigation purposes, of powers to require the provision of information.
- (2) The appropriate authority may by regulations—
  - (a) make provision about the persons by whom powers conferred by regulations under this section may be exercised;
  - (b) in particular, make provision for the authorisation by local authorities of persons to exercise those powers.
- (3) The provision that may be made by regulations under this section includes, in particular, provision equivalent to—
  - (a) provision made by a relevant enactment, or
  - (b) provision that is capable of being made under a relevant enactment, with such modifications as the appropriate authority thinks fit.
- (4) For the purposes of subsection (3), each of the following enactments is a “relevant enactment”—
  - (a) section 109B of the Social Security Administration Act 1992 (powers to require information);
  - (b) section 110A of that Act (authorisations by local authorities to exercise powers of investigation);
  - (c) section 121DA(2) and (3) of that Act (interpretation of Part 6 of that Act).
- (5) After the repeal of section 110A of the Social Security Administration Act 1992 by Part 1 of Schedule 14 to the Welfare Reform Act 2012, the reference to that section in subsection (4) is to that section as it had effect immediately before it was repealed.
- (6) A person exercising powers conferred by regulations under this section must have regard to guidance issued or approved by the appropriate authority.

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*Changes to legislation: There are currently no known outstanding effects for the Prevention of Social Housing Fraud Act 2013, Section 7. (See end of Document for details)*

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- (7) In this section “housing fraud investigation purposes” means purposes relating to the prevention, detection or securing of evidence for a conviction of—
- (a) an offence under this Act;
  - (b) an offence under the Fraud Act 2006 relating to the unlawful sub-letting or parting with possession of the whole or part of a dwelling-house let by a local authority, a private registered provider of social housing or a registered social landlord,
  - (c) an offence under the Fraud Act 2006 relating to an application for an allocation of housing accommodation under Part 6 of the Housing Act 1996,
  - (d) an offence under the Fraud Act 2006 relating to an application for accommodation, or for assistance in obtaining accommodation, under Part 7 of the Housing Act 1996,
  - (e) an offence under the Fraud Act 2006 relating to—
    - (i) a claim to exercise the right to buy under Part 5 of the Housing Act 1985,
    - (ii) a claim to exercise the right to acquire under section 16 of the Housing Act 1996 [<sup>F1</sup>before the repeal of that section by the Abolition of the Right to Buy and Associated Rights (Wales) Act 2017 came into force], or
    - (iii) a claim to exercise the right to acquire under section 180 of the Housing and Regeneration Act 2008, or
  - (f) an associated offence in relation to an offence mentioned in any of paragraphs (a) to (e).
- (8) In this section “prescribed” means prescribed by regulations under this section.

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#### Textual Amendments

- F1** Words in s. 7(7)(e)(ii) inserted (26.1.2019) by [Abolition of the Right to Buy and Associated Rights \(Wales\) Act 2018 \(anaw 1\)](#), s. 11(3)(4), [Sch. 1 para. 8\(2\)](#); S.I. 2018/100, art. 2(b) (with art. 3) (with savings in S.I. 2019/110, reg. 5)

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#### Commencement Information

- I1** S. 7 in force for E. at 15.10.2013 by [S.I. 2013/2622](#), [art. 2](#)
- I2** S. 7 in force for W. at 5.11.2013 by [S.I. 2013/2861](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Prevention of Social Housing Fraud Act 2013, Section 7.