

# WELFARE REFORM ACT 2012

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## EXPLANATORY NOTES

### TERRITORIAL EXTENT

22. Most provisions in this Act extend to England and Wales and Scotland, but not to Northern Ireland. Northern Ireland has its own social security legislation, but there is a long-standing policy of parity in this area.
23. The provisions of the Act extend to England and Wales and Scotland except:
- (a) the following provisions extend to England and Wales, Scotland and Northern Ireland:
    - *section 32* (power to make consequential and supplementary provision: universal credit);
    - *section 33* (abolition of benefits);
    - *section 76* (calculation of working tax credit);
    - *section 92* (power to make consequential and supplementary provision: personal independence payment);
    - *section 126(1) to (13)* (tax credits: transfer of functions etc);
    - *section 127(1) to (9)* (information-sharing between Secretary of State and HMRC); and
    - *Part 7* (except for the Schedule of repeals);
  - (b) *section 128* (information-sharing between Secretary of State and DPP) and *section 129* (unlawful disclosure of information supplied under section 128) extend to England and Wales only; and
  - (c) amendments and repeals made by this Act have the same extent as the legislation which is being amended or repealed.
24. In general, the provisions of the Act apply to Wales in the same way as they apply to England. Consent to legislate was given by the National Assembly for Wales in relation to provisions in section 131 allowing the sharing of information between local authorities in Wales (amongst other bodies) relating to welfare services.
25. There are also provisions which required the consent of Welsh Ministers because they impact on their functions, these measures are:
- amalgamating a separate scheme for people injured as trainees into the main Industrial Injuries Disablement Benefit Scheme (*section 66*);
  - changes to allow localisation of the social fund (*section 70*);
  - provision relating to the Social Mobility and Child Poverty Commission (*section 144 and Schedule 13*).

*These notes refer to the Welfare Reform Act 2012  
(c.5) which received Royal Assent on 8 March 2012*

26. Consent of the Scottish Parliament was also given to legislate in a number of areas:
  - amalgamating a separate scheme for people injured as trainees into the main Industrial Injuries Disablement Benefit Scheme (*section 66*);
  - allowing data-sharing with local authorities (*section 131*); and
  - provision relating to the Social Mobility and Child Poverty Commission (*section 144 and Schedule 13*).
27. Consent of the Northern Ireland Assembly to legislate was given in respect of provisions relating to the transfer of tax credit functions (*section 126(1) to (13)*), information-sharing between Secretary of State and HMRC (*section 127(1) to (9)*) and the Social Mobility and Child Poverty Commission (*section 144 and Schedule 13*).