

# WELFARE REFORM ACT 2012

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 5: Social security: General**

#### *Section 106: Deductions from earnings: other cases*

#### **Section 71**

548. New *subsection (9A)* allows regulations to provide that amounts recoverable under section 71(8) (i.e. overpayments of benefits not covered by section 71ZB) may be recovered by deduction from earnings.
549. New *subsection (9B)* allows the Secretary of State to prescribe in regulations the definition of ‘earnings’ for the purpose of this section.
550. New *subsection (9C)* describes the related issues for which the Secretary of State may prescribe in regulations under *subsection (9A)*. These include preventing an employer from making deductions from earnings where they would take earnings below a specified level, allowing for an employer to deduct a prescribed sum from earnings in respect of the employer’s administration costs, providing for a criminal offence for non-compliance with certain of the obligations under those regulations and legislating as to priorities of deductions from earnings made under these powers as against those made under other legislation.