

WELFARE REFORM ACT 2012

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 5: Social security: General

Section 106: Deductions from earnings: other cases

Section 75

552. New *subsection (8)* allows regulations to provide that overpaid housing benefit recoverable by virtue of section 75(4) may be recovered by deduction from earnings.
553. New *subsection (9)* allows the Secretary of State to prescribe in regulations the definition of ‘earnings’ for the purpose of this section.
554. New *subsection (10)* describes the related issues for which the Secretary of State may prescribe in regulations under *subsection (8)*. 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.