



# Welfare Reform and Pensions Act 1999

## 1999 CHAPTER 30

### PART V

#### WELFARE

### CHAPTER I

#### SOCIAL SECURITY BENEFITS

#### *Supplementary*

#### **71 Sharing of functions as regards claims and information.**

After section 7 of the Administration Act there shall be inserted—

*“ Sharing of functions as regards certain claims and information*

#### **7A Sharing of functions as regards certain claims and information.**

- (1) Regulations may, for the purpose of supplementing the persons or bodies to whom claims for relevant benefits may be made, make provision—
- (a) as regards housing benefit or council tax benefit, for claims for that benefit to be made to—
    - (i) a Minister of the Crown, or
    - (ii) a person providing services to a Minister of the Crown;
  - (b) as regards any other relevant benefit, for claims for that benefit to be made to—
    - (i) a local authority,
    - (ii) a person providing services to a local authority, or
    - (iii) a person authorised to exercise any function of a local authority relating to housing benefit or council tax benefit.

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- (2) Regulations may make provision for or in connection with—
- (a) the forwarding by a relevant authority of—
    - (i) claims received by virtue of any provision authorised by subsection (1) above, and
    - (ii) information or evidence supplied in connection with making such claims (whether supplied by persons making the claims or by other persons);
  - (b) the receiving and forwarding by a relevant authority of information or evidence relating to social security matters supplied by, or the obtaining by a relevant authority of such information or evidence from—
    - (i) persons making, or who have made, claims for a relevant benefit, or
    - (ii) other persons in connection with such claims, including information or evidence not relating to the claims or benefit in question;
  - (c) the recording by a relevant authority of information or evidence relating to social security matters supplied to, or obtained by, the authority and the holding by the authority of such information or evidence (whether as supplied or obtained or as recorded);
  - (d) the giving of information or advice with respect to social security matters by a relevant authority to persons making, or who have made, claims for a relevant benefit.
- (3) In paragraphs (b) and (d) of subsection (2) above—
- (a) references to claims for a relevant benefit are to such claims whether made as mentioned in subsection (1)(a) or (b) above or not; and
  - (b) references to persons who have made such claims include persons to whom awards of benefit have been made on the claims.
- (4) Regulations under this section may make different provision for different areas.
- (5) Regulations under any other enactment may make such different provision for different areas as appears to the Secretary of State expedient in connection with any exercise by regulations under this section of the power conferred by subsection (4) above.
- (6) In this section—
- (a) “benefit” includes child support or a war pension (any reference to a claim being read, in relation to child support, as a reference to an application under the <sup>M1</sup>Child Support Act 1991 for a maintenance assessment);
  - (b) “local authority” means an authority administering housing benefit or council tax benefit;
  - (c) “relevant authority” means—
    - (i) a Minister of the Crown,
    - (ii) a person providing services to a Minister of the Crown,
    - (iii) a local authority,
    - (iv) a person providing services to a local authority, or
    - (v) a person authorised to exercise any function of a local authority relating to housing benefit or council tax benefit;

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- (d) “relevant benefit” means housing benefit, council tax benefit or any other benefit prescribed for the purposes of this section;
  - (e) “social security matters” means matters relating to social security, child support or war pensions;
- and in this subsection “war pension” means a war pension within the meaning of section 25 of the <sup>M2</sup>Social Security Act 1989 (establishment and functions of war pensions committees).”

#### Marginal Citations

**M1** 1991 c. 48.

**M2** 1989 c. 24.

## 72 Supply of information for certain purposes.

(1) The Secretary of State may by regulations make such provision for or in connection with any of the following matters, namely—

- (a) the use by a person within subsection (2) of social security information<sup>[F1]</sup>, or information relating to employment or training,] held by that person,
- (b) the supply (whether to a person within subsection (2) or otherwise) of social security information<sup>[F2]</sup>, or information relating to employment or training,] held by a person within that subsection,
- (c) the relevant purposes for which a person to whom such information is supplied under the regulations may use it, and
- (d) the circumstances and extent (if any) in and to which a person to whom such information is supplied under the regulations may supply it to any other person (whether within subsection (2) or not),

as the Secretary of State considers appropriate in connection with any provision to which subsection (3) applies or in connection with any scheme or arrangements to which subsection (4) applies.

(2) The persons within this subsection are—

- (a) a Minister of the Crown;
- (b) a person providing services to, or designated <sup>[F3]</sup>(specifically or by description)] for the purposes of this section by an order of, a Minister of the Crown;
- (c) a local authority (within the meaning of the Administration Act); <sup>F4</sup>...
- <sup>[F5]</sup>(ca) a county council in England; and]
- (d) a person providing services to, or authorised to exercise any function of, <sup>[F6]</sup>any authority mentioned in paragraph (c) or (ca)].

(3) This subsection applies to any provision made by or under—

- <sup>[F7]</sup>(a) any of sections 2A to 2F and 7A of the Administration Act,]
- (b) section 60 of this Act, <sup>F8</sup>...
- (c) the <sup>M3</sup>Jobseekers Act 1995<sup>[F9]</sup>, <sup>F10</sup>...
- (d) Part 1 of the Welfare Reform Act 2007<sup>[F11]</sup>, or]
- (e) Part 1 of the Welfare Reform Act 2012.]

(4) This subsection applies to—

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- (a) any scheme designated by regulations under subsection (1), being a scheme operated by the Secretary of State (whether under arrangements with any other person or not) for any purposes connected with employment or training in the case of persons of a particular category or description;
  - (b) any arrangements of a description specified in such regulations, being arrangements made by the Secretary of State for any such purposes.
  - <sup>F12</sup>(c) any arrangements made by the Scottish Ministers under section 2 of the Employment and Training Act 1973 by virtue of article 2(1) of the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2020.]
- (5) Regulations under subsection (1) may, in particular, authorise information supplied to a person under the regulations—
- (a) to be used for the purpose of amending or supplementing other information held by that person; and
  - (b) if it is so used, to be supplied to any other person, and used for any purpose, to whom or for which that other information could be supplied or used.
- (6) In this section—
- “relevant purposes” means purposes connected with—
    - (a) social security, child support or war pensions, or
    - (b) employment or training;
 “social security information” means <sup>F13</sup>... information relating to social security, child support or war pensions;
- and in this subsection “war pensions” means war pensions within the meaning of section 25 of the <sup>M4</sup>Social Security Act 1989 (establishment and functions of war pensions committees).
- <sup>F14</sup>(6A) .....
- (7) Any reference in this section to [<sup>F15</sup>information relating to, or purposes connected with, employment or training includes information relating to, or purposes connected with,] the existing or future employment or training prospects or needs of persons, and (in particular) assisting or encouraging persons to enhance their employment prospects.

#### Textual Amendments

- F1** Words in s. 72(1)(a) inserted (12.1.2010) by [Welfare Reform Act 2009 \(c. 24\)](#), **ss. 34(4)(a)**, 61(2)
- F2** Words in s. 72(1)(b) inserted (12.1.2010) by [Welfare Reform Act 2009 \(c. 24\)](#), **ss. 34(4)(a)**, 61(2)
- F3** Words in s. 72(2)(b) inserted (8.5.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), **ss. 134(2)**, 150(2)(g)
- F4** Word in s. 72(2) repealed (26.1.2009) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(4)(4), **Sch. 2**; [S.I. 2008/3077](#), art. 4(h)(ii)
- F5** S. 72(2)(ca) inserted (30.3.2010) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(4), **Sch. 1 para. 74(2)(a)**; [S.I. 2010/1093](#), art. 2(b)
- F6** Words in s. 72(2)(d) substituted (30.3.2010) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(4), **Sch. 1 para. 74(2)(b)**; [S.I. 2010/1093](#), art. 2(b)
- F7** S. 72(3)(a) substituted for s. 72(3)(a)(aa) (12.11.2009) by [Welfare Reform Act 2009 \(c. 24\)](#), **ss. 2(5)**, 61(1)
- F8** Word in s. 72(3)(b) repealed (27.10.2008) by [Welfare Reform Act 2007 \(c. 5\)](#), s. 70(1), **Sch. 8**; [S.I. 2008/787](#), art. 2(4)(g)
- F9** S. 72(3)(d) and word inserted (18.3.2008 for specified purposes, 27.10.2008 in so far as not already in force) by [Welfare Reform Act 2007 \(c. 5\)](#), s. 70(2), **Sch. 3 para. 18**; [S.I. 2008/787](#), art. 2(1)(4)(f), Sch.

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- F10** Word in s. 72(3)(c) deleted (29.4.2013) by The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013 (S.I. 2013/630), regs. 1(2), **15(a)**
- F11** S. 72(3)(e) and word inserted (29.4.2013) by The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013 (S.I. 2013/630), regs. 1(2), **15(b)**
- F12** S. 72(4)(c) inserted (12.3.2020) by The Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2020 (S.I. 2020/276), arts. 1(2), **4(1)**
- F13** Words in s. 72(6) repealed (8.5.2012) by Welfare Reform Act 2012 (c. 5), **ss. 134(3)(a)**, 150(2)(g)
- F14** S. 72(6A) repealed (8.5.2012) by Welfare Reform Act 2012 (c. 5), **ss. 134(3)(b)**, 150(2)(g)
- F15** Words in s. 72(7) substituted (12.1.2010) by Welfare Reform Act 2009 (c. 24), **ss. 34(4)(b)**, 61(2)

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### Marginal Citations

- M3** 1995 c. 18.
- M4** 1989 c. 24.

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