



# Welfare Reform (Further Provision) (Scotland) Act 2012

2012 asp 10

**The Bill for this Act of the Scottish Parliament was passed by the Parliament on 28th June 2012 and received Royal Assent on 7th August 2012**

An Act of the Scottish Parliament to enable the Scottish Ministers to make provision by regulations in consequence of the Welfare Reform Act 2012 (in respect of matters other than reserved matters).

*Powers etc.*

## **1 Universal credit: further provision**

- (1) The Scottish Ministers may by regulations make such provision as they consider appropriate in consequence of any provision of—
  - (a) Part 1 (universal credit) of the UK Act,
  - (b) regulations made by the Secretary of State under that Part,
  - (c) an order made under section 41(5)(a) of that Act.
- (2) Regulations under this section may modify any enactment (whenever passed or made).
- (3) Regulations under this section—
  - (a) are subject to the affirmative procedure if they add to, replace or omit any part of the text of an Act,
  - (b) otherwise, are subject to the negative procedure.

## **2 Personal independence payment: further provision**

- (1) The Scottish Ministers may by regulations make such provision as they consider appropriate in consequence of any provision of—
  - (a) Part 4 (personal independence payment) of the UK Act,
  - (b) regulations made by the Secretary of State under that Part.
- (2) Regulations under this section may modify any enactment (whenever passed or made).
- (3) Regulations under this section—

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*Changes to legislation:* There are currently no known outstanding effects for the Welfare Reform (Further Provision) (Scotland) Act 2012. (See end of Document for details)

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- (a) are subject to the affirmative procedure if they add to, replace or omit any part of the text of an Act,
- (b) otherwise, are subject to the negative procedure.

### **3 Regulations under this Act: ancillary provision**

- (1) This section applies to any regulations under section 1 or 2.
- (2) The regulations may—
  - (a) make provision in direct or indirect consequence of—
    - (i) a relevant portion of the UK Act, or
    - (ii) a relevant instrument made under that Act,
  - (b) contain provision not by itself in consequence of a relevant portion of that Act or of such an instrument, if the provision concerns any matter arising in direct or indirect consequence of the relevant portion or instrument (including previously so arising).
- (3) The regulations may—
  - (a) make different provision for different cases or purposes,
  - (b) include supplemental, incidental, consequential, transitional, transitory or saving provision.

### **4 Impact of reform: annual reporting**

- (1) The Scottish Ministers must prepare an initial report giving such information as they consider appropriate about the impact that the UK Act is likely to have on people in Scotland.
- (2) The initial report is to be laid before the Scottish Parliament on or before 30 June 2013.
- (3) The Scottish Ministers must prepare an annual report giving such information as they consider appropriate about the impact that the UK Act is having on people in Scotland.
- (4) An annual report is—
  - (a) starting with 2014, required each year until 2017,
  - (b) to be laid before the Scottish Parliament on or before 30 June in the year concerned.
- (5) The initial report or an annual report may include such additional information as the Scottish Ministers consider appropriate.
- (6) The references in subsections (1) and (3) to the impact of the UK Act include that arising directly or indirectly from the effect of—
  - (a) a relevant portion of that Act, or
  - (b) a relevant instrument made under that Act.
- (7) The Scottish Ministers may by order—
  - (a) modify subsection (2) by substituting a later date for the date specified in it,
  - (b) modify subsection (4) by—
    - (i) substituting a later year for the second year specified in paragraph (a),
    - (ii) substituting a later date for the date specified in paragraph (b).
- (8) An order under subsection (7) is subject to the negative procedure.