



# House of Commons

Thursday 15 October 2015

## PUBLIC BILL COMMITTEE

*New Amendments handed in are marked thus ★*

☆ *Amendments which will comply with the required notice period at their next appearance*

### WELFARE REFORM AND WORK BILL

#### NOTE

**This document includes all amendments remaining before the Committee and includes any withdrawn amendments at the end. The amendments have been arranged in accordance with the Order of the Committee [10 September 2015].**

Guy Opperman

That the Order of the Committee of 10 September 2015 be amended as follows:

(1) In paragraph (1), after sub-paragraph (e) insert—

“(f) at 9.25 am and 2.00 pm on Tuesday 20 October;”.

(2) In paragraph (4), for “Thursday 15 October” substitute “Tuesday 20 October”.

Stephen Timms  
Kate Green  
Chris Leslie  
Emily Thornberry  
Owen Smith  
Debbie Abrahams

19

Clause 16, page 15, line 25, at end insert—

“(7A) The waiting period before a person can apply for a loan under this section shall be 13 weeks.”

***Member’s explanatory statement***

*To require that the waiting period before an application for a loan for mortgage interest can be made is 13 weeks.*

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 Welfare Reform and Work Bill, *continued*

Priti Patel

116

Clause 16, page 15, line 25, at end insert—

“( ) The regulations may define “owner-occupier payment”.”

**Member’s explanatory statement**

*This amendment provides for regulations under clause 16 to define the term “owner-occupier payment”. The definition will make provision about mortgage interest payments and payments under alternative finance arrangements.*

Priti Patel

117

Clause 16, page 15, line 26, leave out subsection (8)

**Member’s explanatory statement**

*This amendment removes definitions that are no longer needed for clause 16.*

Emily Thornberry  
Debbie Abrahams  
Owen Smith

134

Clause 16, page 15, line 34, leave out subsection (11) and insert—

“(11) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by resolution of, each House of Parliament.”

**Member’s explanatory statement**

*To require that regulations under this section must be subject to the affirmative resolution procedure.*

Angus Robertson  
Mike Weir  
Dr Eilidh Whiteford  
Natalie McGarry  
Mhairi Black  
Ian Blackford

Hannah Bardell

Corri Wilson

64

Page 15, line 1, leave out Clause 16

**Member’s explanatory statement**

*This amendment would mean those owner-occupiers who are in receipt of an income related benefit can continue to claim additional help towards their mortgage interest payments and mitigate risk of repossession of homes instead of introducing a loan system which will be secured against their property.*

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Priti Patel

118

Clause 17, page 15, line 40, leave out “pay mortgage interest” and insert “make owner-occupier payments”

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 Welfare Reform and Work Bill, *continued*

Priti Patel

119

Clause 17, page 15, line 42, leave out “property” and insert “particular accommodation”

**Member’s explanatory statement**

*This amendment is consequential on amendment 110 which replaces a reference to property occupied as a home with a reference to accommodation occupied as a home.*

Priti Patel

120

Clause 17, page 16, line 5, at end insert—

“( ) provision about entering into an agreement (which may contain such terms and conditions as the Secretary of State thinks fit, subject to what may be provided in the regulations);”

**Member’s explanatory statement**

*This amendment makes clear that regulations under clause 17(3) may make provision about entering into agreements with persons receiving loans, and the Secretary of State may determine the contents of such agreements.*

Priti Patel

121

Clause 17, page 16, line 8, leave out “the”

**Member’s explanatory statement**

*This amendment is consequential on amendment 120, which refers to the Secretary of State determining the contents of agreements with persons receiving loans.*

Emily Thornberry  
Debbie Abrahams  
Owen Smith

135

Clause 17, page 16, line 13, at end insert—

“(4) The regulations must make provision for persons applying for a loan to have access to financial advice, which must be provided free of charge by an organisation independent of the qualifying lender.”

**Member’s explanatory statement**

*To require that those applying for a loan must have access to free and impartial financial advice which is independent of the lender to whom the application is made.*

Emily Thornberry  
Debbie Abrahams  
Owen Smith

136

Clause 17, page 16, line 13, at end insert—

“(4) The regulations must provide for persons in receipt of Support for Mortgage interest at the time the regulations come into force to continue to receive these payments for a period of no less than 12 months before they are required to apply for a loan.”

**Member’s explanatory statement**

*To require that regulations setting out transitional protections for existing claimants of Support for Mortgage Interest must include provisions requiring payments to continue to be made on the basis of the current framework for at least 12 months following the date on which the regulations come into force, before they are expected to apply for a loan.*

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 Welfare Reform and Work Bill, *continued*

- Priti Patel 122  
 Clause 17, page 16, line 16, leave out “pay mortgage interest” and insert “make owner-occupier payments”
- Priti Patel 123  
 Clause 17, page 16, line 19, leave out “pay mortgage interest” and insert “make owner-occupier payments”
- Priti Patel 124  
 Clause 17, page 16, line 28, leave out “in respect of the mortgage interest” and insert “in relation to which the amount is paid”
- Priti Patel 125  
 Clause 17, page 16, line 39, leave out from “is” to end of line 40 and insert “liable to make owner-occupier payments under more than one agreement to make such payments.”
- Priti Patel 126  
 Clause 17, page 16, line 46, leave out subsection (7)
- Priti Patel 127  
 Clause 17, page 17, leave out lines 29 to 32  
*Member’s explanatory statement*  
*This amendment removes definitions that are no longer needed for clause 17.*
- Angus Robertson  
 Mike Weir  
 Dr Eilidh Whiteford  
 Natalie McGarry  
 Mhairi Black  
 Ian Blackford
- Hannah Bardell Corri Wilson 65  
 Page 15, line 36, leave out Clause 17  
*Member’s explanatory statement*  
*This amendment is consequential on amendment 64.*
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Welfare Reform and Work Bill, *continued*

Emily Thornberry  
Debbie Abrahams  
Owen Smith

137

Clause 18, page 17, line 40, leave out “repealed.” and insert “amended as follows—

(a) insert at the end of subsection 1—

“(1AA) In addition to the conditions set out in subsection 1 a “relevant beneficiary” must be an individual in receipt of pension credit (see section 1 of the State Pension Credit Act 2002).”

***Member’s explanatory statement***

*To maintain Support for Mortgage Interest as a benefit for anyone in receipt of State Pension Credit and replace it with a loan only for those in receipt of income-based benefits for people of working age.*

Priti Patel

128

Clause 18, page 17, line 40, at end insert—

“( ) In section 3A of the State Pension Credit Act 2002 (housing credit), in subsection (5)(a), omit the words from “(and,” to “payments)”.”

***Member’s explanatory statement***

*This amendment adds a consequential amendment of section 3A(5)(a) of the State Pension Credit Act 2002, which is about the meaning of “payments in respect of accommodation”. It removes a reference to mortgage payments.*

Emily Thornberry  
Debbie Abrahams  
Owen Smith

138

Clause 18, page 17, line 41, leave out subsections (2) and (3)

***Member’s explanatory statement***

*This amendment is consequential to amendment 137.*

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Priti Patel

141

Clause 19, page 18, line 11, at beginning insert “In relation to each relevant year,”

***Member’s explanatory statement***

*This amendment and amendment 143 make clear that the reduction in rent applies in each year.*

Priti Patel

142

Clause 19, page 18, line 12, after first “in” insert “respect of”

***Member’s explanatory statement***

*This amendment and amendment 146 make clear that the rent in question is the rent due to be paid in respect of a given period.*

Priti Patel

143

Clause 19, page 18, line 12, leave out first “a” and insert “that”

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 Welfare Reform and Work Bill, *continued*

- Priti Patel 144
- Clause 19, page 18, line 12, after “is” insert “at least”  
*Member’s explanatory statement*  
*This amendment permits a registered provider of social housing to make a reduction in rent of more than the required 1%.*
- Priti Patel 145
- Clause 19, page 18, line 13, after “amount” insert “of rent”  
*Member’s explanatory statement*  
*This amendment is a drafting point.*
- Priti Patel 146
- Clause 19, page 18, line 13, after “in” insert “respect of”
- Priti Patel 169
- Clause 19, page 18, line 14, at end insert—  
 “( ) If—  
 (a) the tenancy of particular social housing comes to an end after part of a relevant year has elapsed, or  
 (b) this section ceases to apply in relation to the tenancy of particular social housing after part of a relevant year has elapsed,  
 the requirement in subsection (1) has effect in relation to the part of the relevant year falling before that time with a proportionate reduction in the maximum amount of rent payable to the registered provider by the tenant.”  
*Member’s explanatory statement*  
*This amendment makes clear that the reduction in rent required by clause 19(1) applies on a pro rata basis.*
- Priti Patel 170
- Clause 19, page 18, line 15, leave out subsection (2)  
*Member’s explanatory statement*  
*This amendment is a drafting change.*
- Priti Patel 171
- Clause 19, page 18, line 16, leave out subsection (3) and insert—  
 “(3) The amount of rent payable to the registered provider by the tenant in respect of the 12 months preceding the first relevant year is to be treated for the purposes of subsection (1) as having been the greater of the following amounts—  
 (a) the amount of rent that would have been payable in respect of those 12 months if the rate of rent applicable at the beginning of 8 July 2015 had applied during those 12 months, and  
 (b) if the Secretary of State consents to the use by the registered provider of a different day (“the permitted review day”), the amount of rent that would have been payable in respect of those 12 months if the rate of rent applicable at the beginning of the permitted review day had applied during those 12 months.

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**Welfare Reform and Work Bill, continued**

- (3A) A consent given for the purposes of subsection (3) may be a consent given for a particular case or for a description of cases.
- (3B) If a tenancy existing in the first relevant year began before the beginning of 8 July 2015 but less than 12 months before the beginning of the first relevant year, the tenancy is to be treated for the purposes of subsection (1) as having begun at least 12 months before the first relevant year (and subsection (3) is to have effect accordingly).”

**Member’s explanatory statement**

*This amendment clarifies certain points: that subsection (1) applies to a tenancy in existence on 8 July 2015 whether or not the tenancy had existed for the 12 months preceding the first relevant year; that a consent to use a different day for the rent calculation may be given for a description of cases; and that a registered provider who has consent to use a different day may choose to limit the first relevant year’s rent by reference to the greater amount.*

Priti Patel

172

Clause 19, page 18, line 25, leave out subsections (4) to (6).

**Member’s explanatory statement**

*This amendment and amendments NC19 and NS1 alter the provision for determining the amount of rent payable in respect of the first relevant year (or a later relevant year) in cases not covered by clause 19(1).*

Priti Patel

147

Clause 19, page 19, line 9, after “a” insert “private”

**Member’s explanatory statement**

*This amendment and amendment 148 secure that only private registered providers may have relevant years starting on a date other than 1 April.*

Priti Patel

173

Clause 19, page 19, line 10, leave out “tenants” and insert “tenancies”

**Member’s explanatory statement**

*This amendment secures that a private registered provider’s usual practice is determined by reference to numbers of tenancies.*

Priti Patel

148

Clause 19, page 19, line 19, after “A” insert “private”

Priti Patel

174

Clause 19, page 19, line 22, at end insert—

“( ) This section is subject to—

- (a) section (*Provision for excepted cases*) (provision for excepted cases);
- (b) Schedule (*Further provision about social housing rents*) (further provision about social housing rents).”

**Member’s explanatory statement**

*This amendment is a drafting change linked to amendment NC20 (a new clause about excepted cases) and amendment NS1 (a new Schedule making provision about initial levels of rent for tenancies beginning after the beginning of 8 July 2015).*

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 Welfare Reform and Work Bill, *continued*

Priti Patel

175

Clause 19, page 19, line 23, leave out subsections (9) and (10)

**Member's explanatory statement**

*This amendment and amendments NC21 and NC22 secure that the provision in subsections (9) to (10) is also applied to the provision about levels of rent that appears in the new clause and new Schedule added by amendments NC20 and NS1.*

Stephen Timms  
 Kate Green  
 Chris Leslie  
 Emily Thornberry  
 Owen Smith  
 Debbie Abrahams

21

Clause 19, page 19, line 25, at end insert—

“(9A) The Secretary of State must, within 12 months of this section coming into force, produce a plan to offset the impact of lower social rents on housing associations and local government.”

**Member's explanatory statement**

*To require the Secretary of State to produce a plan to offset the impact of lower social rents on housing associations, so that their ability to build new affordable homes is not affected.*

Stephen Timms  
 Kate Green  
 Emily Thornberry  
 Owen Smith  
 Debbie Abrahams

85

Clause 19, page 19, line 25, at end insert—

“(9A) The Secretary of State must, within 12 months of this section coming into force, produce a report outlining the impact of the reduction in social housing rents on the availability of accessible and supported housing.”

**Member's explanatory statement**

*To require the Secretary of State to report on the impact of lower social rents on the availability of accessible and supported housing.*

Debbie Abrahams

184

Clause 19, page 19, line 35, at end insert—

“(11) Sections 19 to 22 will cease to have effect on 1 April 2020.”

**Member's explanatory statement**

*The Bill as currently drafted does not explicitly provide for the end of the rent reduction policy in 2020. This amendment would clarify this.*

Priti Patel

176

Clause 20, page 19, line 42, leave out paragraph (c) and insert—

“(1A) Section 19 does not apply in relation to social housing that consists of or is included in a property if, where the property is subject to a mortgage or other arrangement under which it is security for the payment of a sum or sums—



**Welfare Reform and Work Bill, *continued***

- (a) the mortgagee, or a person entitled under the arrangement to be in possession of the property, is in possession of the property,
- (b) a receiver has been appointed by the mortgagee, by a person entitled under the arrangement to do so or by the court to receive the rents and profits of that property and that appointment is in force, or
- (c) a person has been appointed under or because of the mortgage or the arrangement to administer or sell or otherwise dispose of the property and that appointment is in force.”

***Member’s explanatory statement***

*This amendment expands the exception from the rent reduction requirements in clause 19 so that it includes, as well as cases of a mortgagee in possession or a receiver appointed under a mortgage, cases where steps are taken under a different form of security to realise the security. See also amendment 177.*

Priti Patel

177

Clause 20, page 19, line 47, leave out paragraph (d) and insert—

“( ) If a registered provider’s interest in property that consists of or includes social housing—

- (a) was mortgaged or made subject to an arrangement other than a mortgage under which the interest in property was security for the payment of a sum or sums, and
- (b) is sold or otherwise disposed of after the coming into force of section 19 by—
  - (i) the mortgagee or a person entitled under the arrangement to do so,
  - (ii) a receiver appointed by the mortgagee, by a person entitled under the arrangement to do so or by the court to receive the rents and profits of the interest in property, or
  - (iii) a person appointed under or because of the mortgage or the arrangement to exercise powers that consist of or include the sale or other disposal of the interest in property,

section 19 ceases at that time to apply in relation to that social housing.”

***Member’s explanatory statement***

*This amendment expands the exception so that, where there is a sale of a registered provider’s property by a mortgagee or receiver, the purchaser and all subsequent purchasers are excepted from the rent reduction requirements in clause 19. It also expands the exception to cases where the property is sold or otherwise disposed of under a different form of security.*

Emily Thornberry  
Neil Coyle  
Debbie Abrahams  
Owen Smith

109

Clause 20, page 20, line 5, at end insert—

“(e) the accommodation is specified accommodation, as defined in the Housing Benefit and Universal Credit (Supported Accommodation) (Amendment) Regulations 2014.”

***Member’s explanatory statement***

*To provide that the mandatory 1% annual reduction in social housing rents will not apply to the tenants of “specified accommodation”.*

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**Welfare Reform and Work Bill, continued**

- Priti Patel 149
- Clause 20, page 20, line 19, at end insert—  
 “() Regulations made by virtue of subsection (3)(e) may include provision about periods during a tenancy when the rent payable is temporarily reduced or waived.”  
*Member’s explanatory statement*  
*This amendment makes clear that the Secretary of State may provide in regulations for clause 19 not to apply when rent is temporarily reduced or waived.*
- Priti Patel 178
- Clause 20, page 20, line 20, leave out subsection (5)  
*Member’s explanatory statement*  
*This amendment is consequential on amendment NC22.*
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- Priti Patel 150
- Clause 21, page 20, line 45, at beginning insert ““at least””  
*Member’s explanatory statement*  
*This amendment and amendment 151 permit a private registered provider to whom a direction in the terms of clause 21(2)(b) is issued to make a reduction in rent, instead of keeping the rent the same.*
- Priti Patel 151
- Clause 21, page 20, line 45, for ““the same as”” substitute ““no more than””
- Priti Patel 152
- Clause 21, page 21, line 2, at end insert “at least”  
*Member’s explanatory statement*  
*This amendment permits a private registered provider to whom a direction in the terms of clause 21(2)(c) is issued to make a greater reduction in rent than the reduction specified in the direction.*
- Priti Patel 153
- Clause 21, page 21, line 3, at end insert—  
 “(d) a direction that section 19 is to have effect in relation to a private registered provider specified in the direction as if section 19(1) required the private registered provider to secure that the amount of rent payable by tenants of their social housing increased by no more than the percentage specified in the direction.”  
*Member’s explanatory statement*  
*This amendment provides for directions that exempt a private registered provider from the rent reduction requirements in clause 19 but limit what increase in rent the provider may impose.*
- Priti Patel 154
- Clause 21, page 21, line 5, at end insert “, and

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**Welfare Reform and Work Bill, continued**

(b) the social housing in relation to which it is to have effect.”

**Member’s explanatory statement**

*This amendment enables a direction to affect only some social housing of a private registered provider.*

Priti Patel

155

Clause 21, page 21, line 11, at end insert—

“( ) The regulator may publish a document about the measures that the regulator considers could be taken by a private registered provider to comply with section 19 and to avoid jeopardising its financial viability.”

**Member’s explanatory statement**

*This amendment enables the Regulator of Social Housing to publish documents relating to the condition in clause 21(4).*

Priti Patel

156

Clause 21, page 21, line 13, after “(9)” insert “or (9A)”

**Member’s explanatory statement**

*This amendment and amendment 162 provide that the Secretary of State may issue a direction if an alternative condition is met, that is, a condition that the circumstances of the local authority must satisfy requirements prescribed in regulations by the Secretary of State.*

Priti Patel

157

Clause 21, page 21, line 18, after “for” insert ““at least”

**Member’s explanatory statement**

*This amendment and amendment 158 permit a local authority to which a direction in the terms of clause 21(7)(b) is issued to make a reduction in rent, instead of keeping the rent the same.*

Priti Patel

158

Clause 21, page 21, line 19, for ““the same as”” substitute ““no more than””

Priti Patel

159

Clause 21, page 21, line 21, after “required” insert “at least”

**Member’s explanatory statement**

*This amendment permits a local authority to which a direction in the terms of clause 21(7)(c) is issued to make a greater reduction in rent than the reduction specified in the direction.*

Priti Patel

160

Clause 21, page 21, line 22, at end insert—

“(d) a direction that section 19 is to have effect in relation to a local authority specified in the direction as if section 19(1) required the authority to secure that the amount of rent payable by tenants of their social housing increased by no more than the percentage specified in the direction.”

**Member’s explanatory statement**

*This amendment provides for directions that exempt a local authority from the rent reduction requirements in clause 19 but limit what increase in rent the authority may impose.*

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 Welfare Reform and Work Bill, *continued*

- Priti Patel 161
- Clause 21, page 21, line 24, at end insert “, and  
 (b) the social housing in relation to which it is to have effect.”  
*Member’s explanatory statement*  
*This amendment enables a direction to affect only some social housing of a local authority.*
- Priti Patel 162
- Clause 21, page 21, line 27, at end insert—  
 “(9A) The condition in this subsection is that the circumstances of the local authority satisfy requirements prescribed in regulations made by the Secretary of State.”
- Priti Patel 179
- Clause 21, page 21, line 31, leave out subsection (11)  
*Member’s explanatory statement*  
*This amendment is consequential on amendment NC22.*
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- Priti Patel 163
- Clause 22, page 21, line 41, leave out subsections (1) and (2)  
*Member’s explanatory statement*  
*This amendment provides that failure, or a risk of failure, to comply with clause 19 is not to be, of itself, a ground for exercising certain powers under Part 2 of the Housing and Regeneration Act 2008.*
- Priti Patel 164
- Clause 22, page 22, line 9, leave out “Full Employment and Welfare Benefits” and insert “Welfare Reform and Work”  
*Member’s explanatory statement*  
*This amendment and amendments 165 to 168 correct references to provisions of the Bill.*
- Priti Patel 165
- Clause 22, page 22, line 13, leave out “Full Employment and Welfare Benefits” and insert “Welfare Reform and Work”
- Priti Patel 166
- Clause 22, page 22, line 17, leave out “Full Employment and Welfare Benefits” and insert “Welfare Reform and Work”
- Priti Patel 167
- Clause 22, page 22, line 21, leave out “Full Employment and Welfare Benefits” and insert “Welfare Reform and Work”

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**Welfare Reform and Work Bill, *continued***

Priti Patel

168

Clause 22, page 22, line 25, leave out “Full Employment and Welfare Benefits” and insert “Welfare Reform and Work”

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**NEW CLAUSES**

Priti Patel

NC13

To move the following Clause—

**“Transitional provision**

- (1) Regulations made by the Secretary of State may make such transitional or transitory provision or savings as the Secretary of State considers necessary or expedient in connection with the coming into force of sections 16 to 18.
- (2) The regulations may include provision for temporarily excluding the making of a loan under regulations under section 16 after the coming into force of sections 16 to 18.
- (3) Regulations under subsection (2) may in particular—
  - (a) provide for a temporary exclusion to continue until a time or times specified in a notice issued by the Secretary of State;
  - (b) enable the Secretary of State to issue notices under paragraph (a) specifying different times for different persons or descriptions of person.
- (4) The regulations may include provision for enabling assistance with payments in respect of accommodation occupied as a home to be given by means of a qualifying benefit after the coming into force of sections 16 to 18 (including where the making of loans is temporarily excluded).
- (5) Regulations under subsection (4) may in particular—
  - (a) provide for legislation that has been repealed or revoked to be treated as having effect;
  - (b) provide for assistance by means of a qualifying benefit to continue until a time or times specified in a notice issued by the Secretary of State;
  - (c) enable the Secretary of State to issue notices under paragraph (b) specifying different times for different persons or descriptions of person.
- (6) In this section “qualifying benefit” means income support, income-based jobseeker’s allowance, income-related employment and support allowance, state pension credit or universal credit.
- (7) Regulations under this section may make different provision for different areas, cases or purposes.
- (8) Regulations under this section must be made by statutory instrument.
- (9) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.”

***Member’s explanatory statement***

*This amendment adds a clause enabling the Secretary of State to make regulations providing for the roll-out of loans in place of the current help offered to owner-occupiers. The new clause ensures that the Government can manage the introduction of loans for mortgage interest and other*

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**Welfare Reform and Work Bill, continued**

*payments as it sees fit and, in particular, the migration of persons who currently receive assistance in the form of a benefit to receiving assistance by way of a loan.*

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Priti Patel

NC14

To move the following Clause—

**“Expenses of paying sums in respect of vehicle hire etc.**

In the Social Security Administration Act 1992, after section 15A insert—

*“Expenses in respect of vehicle hire etc.*

**15B Expenses of paying sums in respect of vehicle hire etc.**

- (1) This section applies where—
  - (a) a relevant benefit component is payable in respect of a person (“the beneficiary”),
  - (b) an agreement has been entered into by or on behalf of the beneficiary with a relevant provider for the lease or hire purchase of a motor vehicle, and
  - (c) by virtue of regulations under section 5(1), the Secretary of State pays all or part of the relevant benefit component to the relevant provider for the purpose of discharging, in whole or in part, an obligation of the beneficiary under the agreement.
- (2) Regulations may make provision—
  - (a) for the expenses of the Secretary of State in administering the making of payments to relevant providers to be defrayed, in whole or in part, at the expense of relevant providers, whether by requiring them to pay prescribed fees or by deducting and retaining a prescribed part of the payments that would otherwise be made to them or by such other method as may be prescribed;
  - (b) for the recovery from a relevant provider of any fees or other sums due from that provider under paragraph (a).
- (3) In this section—
 

“relevant benefit component” means—

  - (a) the mobility component of disability living allowance, if it is payable at the higher rate (see section 73(11)(a) of the Social Security Contributions and Benefits Act 1992), or
  - (b) the mobility component of personal independence payment, if it is payable at the enhanced rate (see section 79(2) of the Welfare Reform Act 2012);

“relevant provider” means a person whose business consists of or includes the supply by way of lease or hire purchase of motor vehicles to persons in respect of whom a relevant benefit component is payable.””

***Member’s explanatory statement***

*This amendment enables the Secretary of State to make regulations about recovering from an*

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**Welfare Reform and Work Bill, continued**

*organisation the expenses incurred as a result of paying a claimant's relevant disability benefit, or part of it, to that organisation.*

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Priti Patel

NC19

To move the following Clause—

**“Further provision about social housing rents**In Schedule (*Further provision about social housing rents*)—

- (a) Part 1 makes further provision about the maximum amount of rent that registered providers must secure is payable in respect of a relevant year or part of a relevant year by a tenant of their social housing in England;
- (b) Part 2 contains provision about exceptions, exemptions and enforcement;
- (c) Part 3 contains general provision.”

***Member's explanatory statement***

*This amendment introduces the new Schedule in amendment NS1. The new Schedule makes provision for the rent initially payable by tenants of social housing whose tenancies begin after 8 July 2015.*

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Priti Patel

NC20

To move the following Clause—

**“Provision about excepted cases**

- (1) The Secretary of State may by regulations make provision about the maximum amount of rent payable to a registered provider in respect of a relevant year, or a part of a relevant year, by a tenant of social housing in relation to whom—
  - (a) section 19 does not apply because of an exception in regulations under section 20;
  - (b) a provision about levels of rent in Part 1 of Schedule (*Further provision about social housing rents*) does not apply because of an exception in regulations under paragraph 5 of that Schedule.
- (2) The Secretary of State may by regulations make provision about the maximum amount of rent payable to a registered provider by a tenant of social housing—
  - (a) in respect of the part of the relevant year after an exception in regulations under section 20 ceases to apply;
  - (b) in respect of the part of the relevant year after an exception in regulations under paragraph 5 of Schedule (*Further provision about social housing rents*) ceases to apply;
  - (c) in respect of the following relevant year (if any).
- (3) Regulations under subsection (1) or (2) may, in particular, require registered providers to secure that the maximum amount of rent payable in respect of a relevant year, or part of a relevant year, is an amount determined as specified in the regulations.

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**Welfare Reform and Work Bill, *continued***

- (4) Regulations under subsection (1) or (2) may make provision about disapplying or modifying a requirement in the regulations as it relates to a registered provider.
- (5) Regulations made by virtue of subsection (4) may, in particular, enable the Secretary of State or the regulator to issue a direction that disappplies or modifies a requirement as it relates to a registered provider.
- (6) Regulations made by virtue of subsection (5) may provide for a direction to specify—
  - (a) the period during which it has effect;
  - (b) the social housing in relation to which it has effect.
- (7) Regulations made by virtue of subsection (5) may—
  - (a) provide for conditions to be satisfied before a direction is issued;
  - (b) provide for the regulator to obtain the consent of the Secretary of State before issuing a direction.
- (8) Regulations under subsection (1) or (2) may make provision about the enforcement of the regulations, including provision applying Part 2 of the Housing and Regeneration Act 2008 with modifications.
- (9) Regulations under this section must be made by statutory instrument.
- (10) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.”

***Member’s explanatory statement***

*This amendment enables the Secretary of State to make regulations governing the levels of rent payable where an exception operates and after it ceases to operate.*

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Priti Patel

NC21

To move the following Clause—

**“Rent standards**

Sections 194(2A) and 198(3) of the Housing and Regeneration Act 2008 (the powers of the regulator to set and revise standards relating to levels of rent) are subject to sections 19 to 21 and (*Provision about excepted cases*) and Schedule (*Further provision about social housing rents*).”

***Member’s explanatory statement***

*This amendment expands the provision in clause 19(9) of the Bill as introduced. It makes the rent standards issued by the Regulator of Social Housing subject to the provisions in the Bill about rent levels.*

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Priti Patel

NC22

To move the following Clause—

**“Interpretation**

- (1) In sections 19 to (*Rent standards*), this section and Schedule (*Further provision about social housing rents*)—



**Welfare Reform and Work Bill, continued**

“affordable rent” and “affordable rent housing” have the meaning given by Schedule (*Further provision about social housing rents*);

“local authority” has the same meaning as in the Housing Associations Act 1985;

“low cost home ownership accommodation” has the meaning given by section 70 of the Housing and Regeneration Act 2008;

“low cost rental accommodation” has the meaning given by section 69 of the Housing and Regeneration Act 2008;

“private registered provider” means a private registered provider of social housing (see section 80 of the Housing and Regeneration Act 2008);

“registered provider” means a registered provider of social housing (see section 80 of the Housing and Regeneration Act 2008);

“the regulator” means the Regulator of Social Housing;

“relevant year” has the meaning given by section 19;

“rent” includes payments under a licence to occupy;

“service charge” means an amount payable by the tenant of particular accommodation as part of, or in addition to, the rent, and which is payable, directly or indirectly, for services, repairs, maintenance, improvements or insurance or the landlord’s costs of management;

“social housing” has the same meaning as in Part 2 of the Housing and Regeneration Act 2008 (see sections 68 and 72 of that Act);

“the social housing rents provisions” means sections 19 to (*Rent standards*), this section and Schedule (*Further provision about social housing rents*);

“tenancy” includes a licence to occupy;

“tenant” includes a person who has a licence to occupy.

- (2) In the social housing rents provisions, a reference to the beginning of a tenancy is a reference to the day on which, under the terms of a lease or other agreement, the tenant is entitled to possession under the tenancy, subject to subsection (3).
- (3) For the purposes of the social housing rents provisions, a tenancy of particular social housing is to be regarded as having been assigned to the tenant under the following tenancy (and not as coming to an end) where—
  - (a) that tenancy is followed by another tenancy of that social housing and at least one person is a tenant under the first tenancy when it comes to an end and under the following tenancy when it begins,
  - (b) that tenancy gives rise to another person’s statutory or assured tenancy of that social housing by virtue of Part 1 of Schedule 1 to the Rent Act 1977 (statutory tenants by succession), or
  - (c) that tenancy gives rise to another tenancy of that social housing by virtue of paragraph 13 of Schedule 1 to the Rent Act 1977 (change of statutory tenant by agreement and with consent of landlord),
 but a tenancy of particular social housing is to be regarded as coming to an end on being assigned by way of exchange (and the assignee is to be regarded as a tenant whose tenancy began at that time).
- (4) References to the tenant under a tenancy of particular social housing are to be read in accordance with subsection (3).
- (5) In the social housing rents provisions, a reference to an amount of rent payable to a registered provider for social housing—
  - (a) in the case of social housing that is affordable rent housing and is let at an affordable rent, includes a reference to an amount payable by way of service charge, and

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**Welfare Reform and Work Bill, *continued***

- (b) in the case of other social housing, does not include a reference to an amount payable by way of service charge.”

***Member’s explanatory statement***

*This amendment makes provision about terms used in the social housing rents provisions. In particular, it makes provision about when a tenancy begins and how a tenancy is to be treated as continuing, or as coming to an end.*

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Stephen Timms  
 Kate Green  
 Chris Leslie  
 Emily Thornberry  
 Owen Smith  
 Debbie Abrahams

NC1

To move the following Clause—

**“Report on impact of benefit cap reductions**

- (1) The Secretary of State must publish and lay before Parliament before the end of the financial year ending with 31 March 2017 a report on the impact of the benefit cap reductions introduced by this Bill.
- (2) The report must include an assessment of the impact on each of the measures of child poverty defined in the Child Poverty Act 2010.”

***Member’s explanatory statement***

*This new clause requires the Secretary of State to review impact of lower benefit cap after 12 months.*

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Stephen Timms  
 Kate Green  
 Chris Leslie  
 Emily Thornberry  
 Owen Smith  
 Debbie Abrahams

NC2

To move the following Clause—

**“Local Housing Allowance**

- (1) For each of the tax years ending with 5 April 2017, 5 April 2018, 5 April 2019 and 5 April 2020, the amount paid to claimants of the Local Housing Allowance is to be reviewed by the Secretary of State.
- (2) In reviewing these sums the Secretary of State shall have regard to—
  - (a) the rate of inflation,

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**Welfare Reform and Work Bill, *continued***

- (b) the national economic situation, and
- (c) the levels of market rent.”

**Member’s explanatory statement**

*This new clause requires the Secretary of State to review the level of the Local Housing Allowance annually, in light of the rate of inflation, levels of market rent and the national economic situation.*

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Paul Blomfield  
Neil Coyle  
Graham Stuart

NC4

To move the following Clause—

**“Personal independence payment: timing of payment**

- (1) Schedule 10 of the Welfare Reform Act 2012 is amended as follows.
- (2) In paragraph 1(1), at start insert “Subject to paragraph ( ),”
- (3) At end of paragraph 1(1), insert the following new paragraph—

“( ) Where a person in receipt of disability living allowance meets the requirements of section 82 of the 2012 Act his or her entitlement to disability living allowance shall terminate immediately and entitlement to personal independence payment shall commence on the same day.””.

**Member’s explanatory statement**

*This New Clause aims to enable claimants of DLA who are transferred to PIP due to terminal illness to receive their first PIP payment immediately after being transferred. Currently claimants must wait four weeks from their final DLA payment to be made and then another four weeks to receive their first PIP payment.*

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Emily Thornberry  
Dawn Butler  
Wes Streeting  
Stephen Pound  
Mr Steve Reed  
Debbie Abrahams

Owen Smith

NC5

To move the following Clause—

**“Entitlement to housing benefit**

- (1) Section 130A of the Social Security Contributions and Benefits Act 1992 (Appropriate maximum housing benefit), is amended as follows.

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**Welfare Reform and Work Bill, *continued***

(2) After subsection (2) insert—

“(2A) Entitlement to housing benefit shall not be restricted in respect of a maximum number of children or qualifying young persons for whom a claimant is responsible.”

***Member’s explanatory statement***

*To prevent the Secretary of State from limiting entitlement to housing benefit by taking into account only a certain number of children in a family.*

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Emily Thornberry  
Dawn Butler  
Wes Streeting  
Stephen Pound  
Mr Steve Reed  
Debbie Abrahams

Owen Smith

NC6

To move the following Clause—

**“Entitlement to housing costs under Universal Credit**

- (1) Section 11 of the Welfare Reform Act 2012 (Housing costs), is amended as follows.
- (2) After subsection (5) insert—

“(6) Entitlement to an amount under this section shall not be restricted in respect of a maximum number of children or qualifying young persons for whom a claimant is responsible.”

***Member’s explanatory statement***

*To prevent the Secretary of State from limiting entitlement to housing costs under Universal Credit by taking into account only a certain number of children in a family.*

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**Welfare Reform and Work Bill, *continued***

Stephen Timms  
 Kate Green  
 Emily Thornberry  
 Owen Smith  
 Debbie Abrahams

NC8

To move the following Clause—

**“Review of childcare tax credit amounts**

The Secretary of State must at least once a year review the level of the Childcare element of the Working Tax Credit entitlement sums to determine whether it is appropriate to increase or decrease any one or more of those sums.”

***Member’s explanatory statement***

*This New Clause would require the Secretary of State to review the childcare tax credit entitlement sums.*

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Jess Phillips  
 Hannah Bardell  
 Corri Wilson

NC10

To move the following Clause—

**“Changes to age of eligible claimants of housing benefit**

- (1) The Social Security Contributions and Benefits Act 1992 is amended as follows.
- (2) After section 130(1) insert—

“(1A) The Secretary of State shall not make provision about eligibility for housing benefit in respect of the age of a claimant except by primary legislation.””

***Member’s explanatory statement***

*This New Clause aims to ensure that any changes to the age of eligible claimants for housing benefit must be made by primary legislation rather than regulation. The Government intends to withdraw entitlement to housing benefit from 18-21 year olds and it is understood this change would be enacted by regulation.*

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Hannah Bardell  
 Corri Wilson  
 Dr Eilidh Whiteford

NC11

To move the following Clause—

**“Definition of job quality**

- (1) Within six months of section 1 of this Act coming into force, the Secretary of State must, by regulation, provide a definition of job quality.

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**Welfare Reform and Work Bill, *continued***

- (2) Before issuing regulations under this section the Secretary of State must carry out a public consultation.”

***Member’s explanatory statement***

*To require the Secretary of State to bring forward a definition of job quality and to ensure there is a consultation on defining job quality.*

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Hannah Bardell  
Corri Wilson

NC12

To move the following Clause—

**“Entitlement to housing costs element of universal credit for 18-21 year olds**

- (1) Entitlement to the housing cost element of Universal Credit shall not be restricted for those 18 to 21 year olds who fall into the following categories—
- (a) those who have previously been in work;
  - (b) a person who lives independently;
  - (c) those with a disability or mental health problem receiving Employment Support Allowance or Income Support;
  - (d) those with dependent children;
  - (e) pregnant women;
  - (f) those who are owed a rehousing duty under—
    - (i) section 193 of the Housing Act 1996;
    - (ii) section 9 of the Homelessness etc. (Scotland) Act 2003;
    - (iii) section 73 of the Housing (Wales) Act 2014;
  - (g) those who are homeless or at risk of homelessness who are being assisted by local authority housing teams;
  - (h) those who are living in statutory or voluntary sector homelessness accommodation;
  - (i) those who have formerly been homeless and have been supported by voluntary or statutory agencies into accommodation;
  - (j) those who have formerly been homeless between the ages of 16 and 21;
  - (k) a person without family or whom social services have found that a home environment is not suitable for them to live in;
  - (l) care leavers; and
  - (m) those leaving custody.
- (2) Within three months of section [*Entitlement to housing costs element of universal credit for 18-21 year olds*] of this Act coming into force, the Secretary of State must, by regulation, provide definitions of—
- (a) “a person who lives independently”;
  - (b) “risk of homelessness”; and
  - (c) “a person without family”.”

***Member’s explanatory statement***

*To ensure that 18-21 year olds who meet one of the listed conditions are entitled to receive the housing cost elements of universal credit.*

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**Welfare Reform and Work Bill, *continued***

Owen Smith  
Emily Thornberry  
Debbie Abrahams

NC15

To move the following Clause—

**“Repeal of Tax Credits Regulations 2015**

- (1) The Tax Credits (Income Thresholds and Determination of Rates) (Amendment) Regulations 2015 are repealed.”
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Emily Thornberry  
Debbie Abrahams  
Owen Smith

NC16

To move the following Clause—

**“Exemptions to changes in child tax credit and child element of universal credit**

- (1) The limit on the number of children for which child tax credit or the child element of universal credit can be claimed, as provided for clauses 11 and 12 of this Act, do not apply in the following circumstances—
- (a) where the number of children exceeds two because the third (or subsequent) child was part of a multiple birth at the same time as the second qualifying child;
  - (b) where a third (or subsequent) child becomes a member of a household as a result of being fostered or adopted into that household, or enters the household as the result of a kinship care arrangement;
  - (c) in exceptional circumstances as defined by the Social Security Advisory Committee, including but not limited to—
    - (i) the claimant becoming unemployed;
    - (ii) the death of one of the parents in the claimant household; and
    - (iii) one of the parents in the claimant household leaving the household following a breakdown in relationship.
- (2) No limit shall apply to a household where any child or qualifying young person is disabled.
- (3) No limit shall apply to couples with dependent children who if living in separate households would not be affected by the limit.
- (4) The Secretary of State shall, by regulation, establish an appeals process by which an individual can appeal a decision as to whether an exemption set out in this clause applies in their individual situation.”
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**Welfare Reform and Work Bill, *continued***

Emily Thornberry  
Debbie Abrahams  
Owen Smith

NC17

To move the following Clause—

**“Review of application of sanctions**

- (1) The Secretary of State must before the financial year ending 31 March 2016 provide for a full and independent review of the sanctions regimes attached to working-age benefits, including but not limited to Jobseekers Allowance, Employment Support Allowance and Income Support, to determine whether they are effective and proportionate for meeting the Government’s objectives.
- (2) The terms of reference for the review must include consideration of—
  - (a) the application of sanctions to lone parents with dependent children;
  - (b) the application of sanctions to claimants who are disabled;
  - (c) the effectiveness of sanctions in moving claimants into sustained work; and
  - (d) any other matters which the Secretary of State considers relevant.”

***Member’s explanatory statement***

*To provide for a full, independent review of the operation of the sanctions regimes attached to out-of-work benefits, to determine the effectiveness of sanctions in moving claimants into sustained work as well as any adverse impacts on particular groups.*

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Neil Coyle

NC18

To move the following Clause—

**“Review of Disability Living Allowance and Personal Independence Payment**

- (1) Part 4 of the Welfare Reform Act 2012 (Personal Independence Payment) is amended as follows.
- (2) Insert new section after section 79—

**“79A Review of Disability Living Allowance and Personal Independence Payment**

- (1) The Secretary of State shall in each tax year review the standard rate and enhanced rate of the daily living (section 78) and mobility component (section 79) of the personal independence payment.
- (2) In carrying out a review under subsection (1) the Secretary of State shall consider the effect on the rates if they were increased by—
  - (a) the percentage increase in the general level of earnings at the end of the period;
  - (b) the percentage increase in the general level of prices for goods and services, as measured by the Consumer Price Index or by any measurement formally replacing the Consumer Price Index; and
  - (c) 2.5 per cent.
- (3) The Secretary of State shall within three months of this review concluding lay before Parliament a draft order which increases the value



**Welfare Reform and Work Bill, continued**

of the amount referred to in subsection (1) by the greatest of the three amounts calculated under paragraphs (a) to (c) of subsections (2).””

**Member’s explanatory statement**

*For DLA and PIP to be triple locked to further protect their value.*

**NEW SCHEDULE**

Priti Patel

NS1

To move the following Schedule—

## “FURTHER PROVISION ABOUT SOCIAL HOUSING RENTS

## PART 1

## PROVISION ABOUT LEVELS OF RENTS

*Tenancy of existing social housing*

- 1 (1) This paragraph applies in relation to a tenant of social housing in England if—
  - (a) the tenancy begins after the beginning of 8 July 2015,
  - (b) the accommodation was social housing during the period starting with the beginning of 8 July 2015 and ending with the beginning of the tenancy.
- (2) This paragraph does not apply if paragraph 3 applies.
- (3) The registered provider must secure that the maximum amount of rent payable to the registered provider by the tenant in respect of—
  - (a) the first relevant year, where the tenancy begins before or at the beginning of the first relevant year,
  - (b) the part of the relevant year in which the tenancy begins, where the tenancy begins after the beginning of the first relevant year and not at the beginning of a later relevant year,
  - (c) the following relevant year, where the tenancy begins as described in paragraph (b), or
  - (d) the relevant year, other than the first relevant year, at the beginning of which the tenancy begins,

is no more than would be payable if the tenant were paying rent at the higher of the social rent rate and the assumed rent rate in respect of that relevant year or that part of a relevant year.
- (4) The social rent rate, in relation to the rent payable by a tenant of social housing in respect of the first or a subsequent relevant year, is the rate found by—
  - (a) determining what would have been the rate of formula rent for that social housing at the beginning of 8 July 2015,
  - (b) determining the rate of that rent when expressed by reference to a period of 12 months (if necessary), and
  - (c) at the beginning of each relevant year (up to and including the relevant year in question), making a 1% reduction in the rate.
- (5) The assumed rent rate, in relation to the rent payable by a tenant of social housing in respect of the first or a subsequent relevant year, is the rate found by—

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**Welfare Reform and Work Bill, *continued***

- (a) determining the rate of the rent that—
    - (i) was payable to the registered provider by the tenant of that social housing at the beginning of the relevant day, in a case where the relevant day falls after 8 July 2015 and the tenancy that exists at the beginning of 8 July 2015 does not come to an end before the beginning of that later day,
    - (ii) was payable to the registered provider by the tenant of that social housing at the beginning of 8 July 2015, in a case where the relevant day is 8 July 2015 or the tenancy comes to an end before the beginning of a later relevant day, or
    - (iii) is likely to have been payable to the registered provider by a tenant of that social housing at the beginning of 8 July 2015, if there was not a tenant at that time,
  - (b) determining the rate of that rent when expressed by reference to a period of 12 months (if necessary), and
  - (c) at the beginning of each relevant year (up to and including the relevant year in question), making a 1% reduction in the rate.
- (6) If—
- (a) the tenancy comes to an end after part of a relevant year to which sub-paragraph (3) applies has elapsed, or
  - (b) sub-paragraph (3)(a), (b), (c) or (d) ceases to apply in relation to the tenancy after part of the relevant year in question has elapsed,
- sub-paragraph (3) has effect in relation to the part of the relevant year falling before that time with a proportionate reduction in the maximum amount of rent payable to the registered provider by the tenant.
- (7) The Secretary of State may by regulations define “formula rate”.
- (8) Regulations under sub-paragraph (7) may, in particular, make provision by reference to—
- (a) standards issued by the regulator under section 194(2A) or 198(3) of the Housing and Regeneration Act 2008 (the powers of the regulator to set and revise standards relating to levels of rent) providing for the determination of social rents, or
  - (b) guidance issued by the Secretary of State relating to the determination of social rents.

*Tenancy of new social housing*

- 2 (1) This paragraph applies in relation to a tenant of social housing in England if—
- (a) the tenancy begins after the beginning of 8 July 2015, and
  - (b) paragraph 1(1)(b) is not satisfied as regards the accommodation.
- (2) This paragraph does not apply if paragraph 3 applies.
- (3) If the tenancy begins before or at the beginning of the first relevant year, the registered provider must secure that the maximum amount of rent payable to the registered provider by the tenant in respect of the first relevant year is the amount that would be payable by the tenant if the social rent rate applied during that relevant year.
- (4) If the tenancy begins after the beginning of the first relevant year, the registered provider must secure that—
- (a) the maximum amount of rent payable to the registered provider by the tenant in respect of the part of that relevant year falling after the tenancy begins, where the tenancy begins after part of a relevant year has elapsed,

**Welfare Reform and Work Bill, *continued***

- (b) the maximum amount of rent payable to the registered provider by the tenant in respect of the following relevant year, where the tenancy begins as described in paragraph (a), or
  - (c) the maximum amount of rent payable to the registered provider by the tenant in respect of the relevant year, where the tenancy begins at the beginning of a relevant year,
- is the amount that would be payable if the social rent rate applied during that period.
- (5) If—
    - (a) the tenancy comes to an end after part of a relevant year to which subsection (3) or (4) applies has elapsed, or
    - (b) sub-paragraph (3) or (4)(a), (b) or (c) ceases to apply in relation to the tenancy after part of the relevant year in question has elapsed,
 sub-paragraph (3) or (4) has effect in relation to the part of the relevant year falling before that time with a proportionate reduction in the maximum amount of rent payable to the registered provider by the tenant.
  - (6) “Social rent rate” has the same meaning as in paragraph 1.

*Tenancy of affordable rent housing*

- 3 (1) This paragraph applies in relation to a tenant of social housing in England if—
  - (a) the tenancy begins after the beginning of 8 July 2015, and
  - (b) the accommodation is affordable rent housing (see paragraph 4).
- (2) If the tenancy begins before or at the beginning of the first relevant year, the registered provider must secure that the maximum amount of rent payable to the registered provider by the tenant in respect of the first relevant year is the amount found by—
  - (a) determining the rate of the market rent for that social housing when the tenancy begins, and
  - (b) determining the amount that is 80% of the amount that would be payable in respect of a year if that rate had applied during the year.
- (3) If the tenancy begins after the beginning of the first relevant year, the registered provider must secure that—
  - (a) the maximum amount of rent payable to the registered provider by the tenant in respect of the part of that relevant year falling after the tenancy begins, where the tenancy begins after part of a relevant year has elapsed, or
  - (b) the maximum amount of rent payable to the registered provider by the tenant in respect of the relevant year, where the tenancy begins at the beginning of a relevant year,
 is the amount found by determining the rate of the market rent for that social housing when the tenancy begins, determining the amount that is 80% of the amount that would be payable in respect of a year if that rate had applied during the year and (if necessary) reducing that amount in proportion to the part of that relevant year that elapsed before the tenancy begins.
- (4) If the tenancy begins after the beginning of the first relevant year and not at the beginning of the second or third relevant year, the registered provider must secure that the maximum amount of rent payable to the registered provider by the tenant in respect of the relevant year following the one in which the tenancy begins is the amount determined under sub-paragraph (2) or (3) (disregarding the proportionate reduction) reduced by 1%.
- (5) If—
  - (a) the tenancy comes to an end after part of a relevant year to which sub-paragraph (2), (3) or (4) applies has elapsed, or

**Welfare Reform and Work Bill, *continued***

- (b) sub-paragraph (2), (3) or (4) ceases to apply in relation to the tenancy after part of the relevant year in question has elapsed, sub-paragraph (2), (3) or (4) has effect in relation to the part of the relevant year falling before that time with a proportionate reduction in the maximum amount of rent payable to the registered provider by the tenant.
- (6) The market rent is to be determined using a RICS valuation method.
- 4 (1) This paragraph has effect for the purposes of paragraph 3.
- (2) Affordable rent housing is accommodation identified by regulations made by the Secretary of State as accommodation that may be let as social housing at an affordable rent.
- (3) Regulations under sub-paragraph (2) may, in particular, make provision for identifying accommodation that may be let as social housing at an affordable rent by reference to an agreement or arrangement relating to the provision of social housing by a registered provider.
- (4) Regulations made by virtue of sub-paragraph (3) may, for example, make provision by reference to—
- (a) an agreement relating to the exercise of a power under section 5 or 19 of the Housing and Regeneration Act 2008 (powers of the Homes and Communities Agency as regards the provision of housing or other land and financial assistance);
- (b) an agreement relating to the exercise of a power under section 30 or 34 of the Greater London Authority Act 1999 (general and subsidiary powers of the Greater London Authority);
- (c) an agreement between a local authority and the Secretary of State under section 11(6) of the Local Government Act 2003 (agreement about capital receipts payable to the Secretary of State).
- (5) The Secretary of State may by regulations define “affordable rent”.
- (6) Regulations under sub-paragraph (5) may, in particular, make provision by reference to—
- (a) standards issued by the regulator under section 194(2A) or 198(3) of the Housing and Regeneration Act 2008 (the powers of the regulator to set and revise standards relating to levels of rent) providing for the setting of rents at up to 80% of market rent in certain cases or circumstances, or
- (b) guidance issued by the Secretary of State relating to the setting of rents at up to 80% of market rent in certain cases or circumstances.
- (7) “RICS valuation method” means a method for determining market rent that complies with standards for valuation published from time to time by the Royal Institution of Chartered Surveyors.

PART 2

EXCEPTIONS, EXEMPTIONS AND ENFORCEMENT

*Exceptions*

- 5 (1) Part 1 does not apply in relation to a tenant of social housing if—
- (a) the accommodation is low cost home ownership accommodation;
- (b) the accommodation is both low cost rental accommodation and low cost home ownership accommodation (see section 71 of the Housing and Regeneration Act 2008).
- (2) Part 1 does not apply in relation to social housing that consists of or is included in a property if, where the property is subject to a mortgage or other arrangement under which it is security for the payment of a sum or sums—

**Welfare Reform and Work Bill, *continued***

- (a) the mortgagee, or a person entitled under the arrangement to be in possession of the property, is in possession of the property,
  - (b) a receiver has been appointed by the mortgagee, by a person entitled under the arrangement to do so or by the court to receive the rents and profits of that property and that appointment is in force, or
  - (c) a person has been appointed under or because of the mortgage or the arrangement to administer or sell or otherwise dispose of the property and that appointment is in force.
- (3) If a registered provider's interest in property that consists of or includes social housing—
- (a) was mortgaged or made subject to an arrangement other than a mortgage under which the interest in property was security for the payment of a sum or sums, and
  - (b) is sold or otherwise disposed of after the coming into force of Part 1 by—
    - (i) the mortgagee or a person entitled under the arrangement to do so,
    - (ii) a receiver appointed by the mortgagee, by a person entitled under the arrangement to do so or by the court to receive the rents and profits of the interest in property, or
    - (iii) a person appointed under or because of the mortgage or the arrangement to exercise powers that consist of or include the sale or other disposal of the interest in property,
- Part 1 ceases at that time to apply in relation to that social housing.
- (4) The Secretary of State may by regulations provide for Part 1 not to apply in cases prescribed by the regulations.
- (5) Regulations under sub-paragraph (4) may in particular make provision about—
- (a) tenants of a description prescribed by the regulations;
  - (b) tenancies of a description prescribed by the regulations;
  - (c) accommodation of a description prescribed by the regulations;
  - (d) accommodation which satisfies conditions prescribed by the regulations, including conditions relating to the funding of its building or refurbishment;
  - (e) events of a description prescribed by the regulations.
- (6) Regulations made by virtue of sub-paragraph (5)(a) may include provision about tenants whose income exceeds, or whose household's incomes exceed, an amount prescribed by the regulations during a period prescribed by the regulations.
- (7) Regulations made by virtue of sub-paragraph (5)(e) may include provision about periods during a tenancy when the rent payable is temporarily reduced or waived.

*Exemptions*

- 6 (1) The regulator may issue a direction mentioned in sub-paragraph (2) in respect of a private registered provider if—
- (a) the condition in sub-paragraph (4) or (5) is satisfied, and
  - (b) the Secretary of State consents.
- (2) The directions are—
- (a) a direction that Part 1 does not apply in relation to a private registered provider specified in the direction;

**Welfare Reform and Work Bill, *continued***

- (b) a direction that Part 1 is to have effect in relation to a private registered provider specified in the direction as if paragraph 1(4)(c) or (5)(c)—
  - (i) were omitted,
  - (ii) required the lesser reduction specified in the direction, or
  - (iii) required the increase specified in the direction;
- (c) a direction that Part 1 is to have effect in relation to a private registered provider specified in the direction as if—
  - (i) in paragraph 3(4), “reduced by 1%” were omitted,
  - (ii) paragraph 3(4) required the lesser reduction specified in the direction, or
  - (iii) paragraph 3(4) required the increase specified in the direction.
- (3) The regulator may specify in a direction—
  - (a) the period during which it is to have effect, and
  - (b) the social housing in relation to which it is to have effect.
- (4) The condition in this sub-paragraph is that the regulator considers that complying with Part 1 would jeopardise the financial viability of the private registered provider.
- (5) The condition in this sub-paragraph is that the circumstances of the private registered provider satisfy requirements prescribed in regulations made by the Secretary of State.
- (6) The regulator may publish a document about the measures that the regulator considers could be taken by a private registered provider to comply with Part 1 and to avoid jeopardising its financial viability.
- (7) The Secretary of State may issue a direction mentioned in sub-paragraph (8) in respect of a local authority if the condition in sub-paragraph (10) or (11) is satisfied.
- (8) The directions are—
  - (a) a direction that Part 1 does not apply in relation to a local authority specified in the direction;
  - (b) a direction that Part 1 is to have effect in relation to a local authority specified in the direction as if paragraph 1(4)(c) or (5)(c)—
    - (i) were omitted,
    - (ii) required the lesser reduction specified in the direction, or
    - (iii) required the increase specified in the direction;
  - (c) a direction that Part 1 is to have effect in relation to a local authority specified in the direction as if—
    - (i) in paragraph 3(4), “reduced by 1%” were omitted,
    - (ii) paragraph 3(4) required the lesser reduction specified in the direction, or
    - (iii) paragraph 3(4) required the increase specified in the direction.
- (9) The Secretary of State may specify in a direction—
  - (a) the period during which it is to have effect, and
  - (b) the social housing in relation to which it is to have effect.
- (10) The condition in this sub-paragraph is that the Secretary of State considers that the local authority would be unable to avoid serious financial difficulties if it were to comply with Part 1.
- (11) The condition in this sub-paragraph is that the circumstances of the local authority satisfy requirements prescribed in regulations by the Secretary of State.

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**Welfare Reform and Work Bill, *continued***

- (12) The Secretary of State may publish a document about the measures that the Secretary of State considers could be taken by a local authority in order to comply with Part 1 and to avoid serious financial difficulties.

*Enforcement*

- 7 The Secretary of State may by regulations make provision about the enforcement of requirements imposed by or under this Schedule, including provision applying Part 2 of the Housing and Regeneration Act 2008 with modifications.

## PART 3

## GENERAL

*Regulations*

- 8 (1) Regulations under this Schedule must be made by statutory instrument.  
 (2) A statutory instrument containing regulations under this Schedule is subject to annulment in pursuance of a resolution of either House of Parliament.

*Guidance*

- 9 (1) The Secretary of State may issue guidance about determining, for the purposes of paragraph 1(5)(a)(iii), what rate of rent is likely to have been payable by a tenant of particular social housing at the beginning of 8 July 2015.  
 (2) Registered providers must have regard to guidance issued under sub-paragraph (1).

*Interpretation*

- 10 (1) In this Schedule “the relevant day”, in relation to social housing, means—  
 (a) 8 July 2015, or  
 (b) if the Secretary of State consents to the use of a different day (“the permitted review day”) in the case of that social housing, the permitted review day.  
 (2) A consent given for the purposes of sub-paragraph (1) may be a consent given for a particular case or for a description of cases.”
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Priti Patel

180

Clause 24, page 23, line 11, after “22” insert “and (*Further provision about social housing rents*), (*Provision about excepted cases*), (*Rent standards*) and (*Interpretation*) and Schedule (*Further provision about social housing rents*)”

***Member’s explanatory statement***

*This amendment is consequential on the addition of the new clauses and the new Schedule. The new clauses and the new Schedule extend to England and Wales (and apply in England).*

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 Welfare Reform and Work Bill, *continued*

Priti Patel

129

Clause 24, page 23, line 22, after “18” insert “and (*Transitional provision*)”  
*Member’s explanatory statement*

*This amendment means that the new clause in amendment NC13 has the same extent as clauses 16 to 18 (England and Wales and Scotland).*

Priti Patel

130

Clause 24, page 23, line 22, at end insert—

“( ) section (*Expenses of paying sums in respect of vehicle hire etc.*)  
 (expenses of paying sums in respect of vehicle hire etc.)”

*Member’s explanatory statement*

*This amendment is consequential on NC14, the new clause ‘Expenses of paying sums in respect of vehicle hire etc.’ The new clause extends to England and Wales and Scotland.*

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 Priti Patel

181

Clause 25, page 23, line 27, at end insert—

“( ) section 21;

( ) paragraph 6 of Schedule (*Further provision about social housing rents*)  
 and section (*Further provision about social housing rents*), so far as  
 relating to paragraph 6;”

*Member’s explanatory statement*

*This amendment and amendment 182 secure that clause 21 and paragraph 6 of the new Schedule, which contain provision about exempting registered providers, or modifying the requirements that affect them, come into force for all purposes when the Bill is enacted.*

Priti Patel

182

Clause 25, page 23, line 43, leave out “to” and insert “, 20 and”

Priti Patel

183

Clause 25, page 23, line 43, after “22” insert “and (*Further provision about social housing rents*), (*Provision about excepted cases*), (*Rent standards*) and (*Interpretation*) and Schedule (*Further provision about social housing rents*), so far as not brought into force by subsection (1).”

*Member’s explanatory statement*

*This amendment is consequential on the addition of the new clauses and the new Schedule. The new clauses and the new Schedule come into force on Royal Assent for the purpose of making regulations and on an appointed day or days for other purposes.*

Anna Turley

93

Clause 25, page 24, line 2, at end insert—

“(5A) Sections 15(1)(c) and 15(2)(b) comes into force on a day or days as the Secretary of State may appoint by regulation that shall not be before 6 April 2018.”

*Member’s explanatory statement*

*This amendment delays the introduction of the changes to work related requirements until 6 April*



**Welfare Reform and Work Bill, continued**

2018 (at the earliest). This is to allow the Government's planned changes to childcare provision to be introduced before the changes to work related requirements take effect.

Priti Patel

92

Title, line 3, leave out "social mobility" and insert "life chances"

**Member's explanatory statement**

This amendment amends the Title to change the words "social mobility" to "life chances" to make the terminology consistent with that used in the Bill.

## ORDER OF THE HOUSE [20 JULY 2015]

That the following provisions shall apply to the Welfare Reform and Work Bill:

*Committal*

1. The Bill shall be committed to a Public Bill Committee.

*Proceedings in Public Bill Committee*

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 15 October.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

*Consideration and Third Reading*

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

*Other proceedings*

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.

## ORDER OF THE COMMITTEE [10 SEPTEMBER 2015]

That—

- (1) the Committee shall (in addition to its first meeting at 11.30am on Thursday 10 September) meet—
  - (a) at 2.00 pm on Thursday 10 September;
  - (b) at 8.55am and 4.30pm on Tuesday 15 September;
  - (c) at 11.30am and 2.00 pm on Thursday 17 September;
  - (d) at 9.25am and 2.00 pm on Tuesday 13 October;
  - (e) at 11.30am and 2.00 pm on Thursday 15 October;

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**Welfare Reform and Work Bill, *continued***

- (2) the Committee shall hear oral evidence in accordance with the following Table:

**TABLE**

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Thursday 10 September	Until no later than 12.30 am	British Chambers of Commerce; Capp; Manchester City Council; Family Action
Thursday 10 September	Until no later than 1.00 pm	Barnardo's; Women Like Us
Thursday 10 September	Until no later than 2.30 pm	Council of Mortgage Lenders; Building Society Association
Thursday 10 September	Until no later than 3.45 pm	Gingerbread; Centre for Economics and Social Inclusion; Reform; Employment Related Services Association
Thursday 10 September	Until no later than 5.15 pm	Remploy; Shaw Trust; Social Market Foundation; Mind; Scope; Parkinson's UK
Tuesday 15 September	Until no later than 10.00 am	Mencap; National Housing Federation; Local Government Association; L&Q London Housing Association
Tuesday 15 September	Until no later than 10.55 am	Child Poverty Action Group; Professor David Gordon, Professor of Social Justice, University of Bristol; Centre for Research in Social Policy; Centre for Social Justice
Tuesday 15 September	Until no later than 11.25 am	Joseph Rowntree Foundation; Institute of Economic Affairs

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 10; the Schedule; Clauses 11 to 22; new Clauses; new Schedules; Clauses 23 to 26; remaining proceedings in the Bill;
- (4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Thursday 15 October.
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