



House of Commons

Thursday 19 May 2011

PUBLIC BILL COMMITTEE PROCEEDINGS

WELFARE REFORM BILL

[TWENTY-THIRD AND TWENTY-FOURTH SITTINGS]

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Clause 102, page 67, leave out lines 22 and 23.

Withdrawn 254

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Clause 102, page 67, line 43, at end insert—

‘(8) In prescribed circumstances, overpayments shall not be recoverable.’

Withdrawn 252

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Clause 102, page 67, line 43, at end insert—

‘(8) Official error overpayments of benefits by local authorities, HMRC or the Department of Work and Pensions, that occur when the claimants could not reasonably have been expected to know they were being overpaid, cannot be recovered.’

Not called 253

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Clause 102, page 69, leave out lines 19 and 20.

Not called 255

Welfare Reform Bill, *continued*

Mr Liam Byrne
 Stephen Timms
 Ms Karen Buck
 Margaret Curran

Clause 102, page 70, leave out lines 1 and 2.

Not called 256

Kate Green

Page 67, line 8, leave out Clause 102.

Not selected 195

Clause agreed to.

Kate Green

Page 70, line 35, leave out Clause 103.

Not selected 194

Clause agreed to.

Kate Green

Page 71, line 1, leave out Clause 104.

Not selected 183

Clause agreed to.

Clauses 105 to 110 agreed to.

Mr Liam Byrne
 Stephen Timms
 Ms Karen Buck
 Margaret Curran

Clause 111, page 74, line 36, leave out 'an' and insert 'a significant'.

Withdrawn 257

Mr Liam Byrne
 Stephen Timms
 Ms Karen Buck
 Margaret Curran

Clause 111, page 75, line 10, at end insert—

Not called 265

'(3A) The amount levied under subsection (2) shall not be greater than the value of the overpayment arising from failures outlined in subsection (1).'

Welfare Reform Bill, *continued*

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Withdrawn 260

Clause 111, page 75, line 25, at end insert—

- ‘(7) Under no circumstances shall the Secretary of State allow any targets to be set that would be intended to provide an incentive to increase the number or value of civil penalties issued under this section.’

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 258

Clause 111, page 75, line 34, leave out ‘an’ and insert ‘a significant’.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 259

Clause 111, page 75, line 44, leave out ‘an’ and insert ‘a significant’.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 266

Clause 111, page 75, line 47, at end insert—

- ‘(2A) The amount levied under subsections (1) and (2) shall not be greater than the value of the overpayment arising from failures outlined in those subsections.’

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 261

Clause 111, page 76, line 12, at end insert—

- ‘(7) Under no circumstances shall the Secretary of State allow any targets to be set that would be intended to provide an incentive to increase the number or value of civil penalties issued under this section.’

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Withdrawn 262

Clause 111, page 76, line 12, at end insert—

- ‘(2) Subsection (1) shall not take effect until the Secretary of State has published a report setting out the criteria that will be used to define whether an error will or will not be considered to fall within sections 115C and 115D of the Social Security Administration Act 1992, as inserted by subsection (1), and how individual characteristics of the claimant are to be taken into account when making the distinction.’

Welfare Reform Bill, *continued*

Mr Liam Byrne
 Stephen Timms
 Ms Karen Buck
 Margaret Curran

Not called 263

Clause 111, page 76, line 12, at end insert—

- ‘(2) Subsection (1) shall not take effect until the Secretary of State has published a report setting out how the appropriate authority will determine what reasonable steps a claimant can be expected to take to avoid error.’

Sheila Gilmore
 Kate Green

Withdrawn 288

Clause 111, page 76, line 12, at end insert—

- ‘(2) Subsection (1) shall not take effect until the Secretary of State has published a report setting out how the appropriate authority will compensate claimants where an overpayment or delay in payment of benefit has arisen as a result of official error.’

Mr Liam Byrne
 Stephen Timms
 Ms Karen Buck
 Margaret Curran

Not called 264

Clause 111, page 76, line 12, at end insert—

- ‘(2) Subsection (1) shall not take effect until the Secretary of State has published a report setting out what information, guidance and other assistance the appropriate authority will provide to each person making a claim to enable them to understand and meet their responsibilities with respect to that claim.’

Clause agreed to.

Clauses 112 to 114 agreed to.

Chris Grayling

Agreed to 284

Clause 115, page 80, line 48, leave out ‘5 April 2012’ and insert ‘the day specified by order made by the Treasury’.

Chris Grayling

Agreed to 285

Clause 115, page 83, line 31, leave out ‘5 April 2012’ and insert ‘the day specified by order made by the Treasury’.

Chris Grayling

Agreed to 286

Clause 115, page 85, line 35, at end insert—

- ‘(c) in subsection (3)(a) at the beginning there is inserted “an order or”.’

Clause, as amended, agreed to.

Welfare Reform Bill, *continued*

Clauses 116 to 120 agreed to.

Mr Liam Byrne
 Stephen Timms
 Ms Karen Buck
 Margaret Curran

Negatived on division 267

Clause **121**, page **90**, line **39**, at end insert—

- (11) The Secretary of State shall commission a report, which is to be published no later than 365 days after this Bill receives Royal Assent, about the possibility of using and/or adapting the relevant information-sharing systems to inform policy on the living wage.’

Clause agreed to.

Clauses 122 to 127 agreed to.

Mr Liam Byrne
 Stephen Timms
 Ms Karen Buck
 Margaret Curran

Withdrawn 268

Clause **128**, page **97**, line **2**, leave out from ‘Commission’ to end of line 8 and insert ‘may with a view to ensuring that there are effective maintenance arrangements in place—

- (a) take such steps as it considers appropriate to ensure that all parents eligible for child maintenance are made fully aware of the choices open to them to secure periodical payments by way of maintenance with respect to any child either by means of a maintenance agreement or by means of an application to the Commission for a calculation for the said child,
- (b) upon receiving an application under sections 4 and 7 in respect of a child, take steps to establish with the applicant whether a maintenance agreement or an application to the Commission is the best means of achieving a sustainable and durable maintenance arrangement for the child in question, and to encourage the applicant accordingly.’

Mr Liam Byrne
 Stephen Timms
 Ms Karen Buck
 Margaret Curran

Not called 269

Clause **128**, page **97**, line **13**, leave out from ‘to’ to end of line 16 and insert ‘take steps to establish with the applicant whether a maintenance agreement (within the meaning of section 9 of the Child Support Act 1991) or an application to the Commission is the best means of achieving a sustainable and durable maintenance arrangement for the child in question, and to encourage the applicant accordingly.’

[Adjourned until Tuesday 24 May at 9.30 am