STATUTORY INSTRUMENTS

2025 No. 1265 (C. 65)

SOCIAL SECURITY

The Public Authorities (Fraud, Error and Recovery) Act 2025 (Commencement No. 1) Regulations 2025

Made - - - - *3rd December 2025*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 109(1) and (3) of the Public Authorities (Fraud, Error and Recovery) Act 2025(**a**).

Citation and interpretation

1.—(1) These Regulations may be cited as the Public Authorities (Fraud, Error and Recovery) Act 2025 (Commencement No. 1) Regulations 2025.

(2) In these Regulations "the Act" means the Public Authorities (Fraud, Error and Recovery) Act 2025.

Commencement

2.—(1) Section 98 of the Act (rights of audience) comes into force on the day after the day on which these Regulations are made.

(2) The following provisions of the Act come into force, in so far as they are not already in force(**b**), at the end of the period of two months beginning with the day on which the Act is passed—

(a) section 78 (eligibility verification);

(b) section 79 (eligibility verification: independent review);

(c) Schedule 3 (eligibility verification etc).

Signed by authority of the Secretary of State for Work and Pensions

Andrew Western
Parliamentary Under Secretary of State
Department for Work and Pensions

3rd December 2025

(**a**) 2025 c. 28.
(**b**) See section 109(2)(b) of the Public Authorities (Fraud, Error and Recovery) Act 2025 which sets out the provisions which come into force on the day on which the Act is passed.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These are the first commencement regulations made under the Public Authorities (Fraud, Error and Recovery) Act 2025 (c. 28) ("the Act").

Regulation 2(1) brings into force section 98 of the Act, on the day after the day on which these Regulations are made.

Section 98 of the Act inserts new section 80F into the Social Security Administration Act 1992 (c. 5) ("the SSAA"), which grants rights of audience and rights to conduct litigation to designated officers of the Secretary of State in a magistrates' court, the county court or the Crown Court in England and Wales for or in connection with debt recovery proceedings.

Regulation 2(2) brings certain provisions of the Act into force, in so far as they are not already in force, at the end of the period of two months beginning with the day on which the Act is passed.

Section 78 of the Act amends the SSAA by inserting new section 121DB and Schedule 3B, making provision for the Secretary of State to issue an eligibility verification notice and creating a new legal framework for the eligibility verification measures. The measures make provision for the Secretary of State to require banks and other financial institutions to provide information to help the Secretary of State verify a claimant's entitlement to benefits and identify incorrect payments.

Section 79 of the Act amends the SSAA by inserting new sections 121DC and 121DD. New section 121DC establishes a requirement for independent oversight of the new eligibility verification measures to help ensure accountability, compliance, and effectiveness. New section 121DD makes further provision in relation to this role and provides for information to be shared for the purposes of the independent person's review.

Part 1 of Schedule 3 to the Act contains new Schedule 3B. This inserted schedule establishes the power and legal framework for requiring information by way of an eligibility verification notice to assist the Secretary of State in identifying incorrect payments of certain benefits. Part 2 of Schedule 3 amends sections 330 and 331 of the Proceeds of Crime Act 2002 (c. 29), so that certain offences relating to the failure to disclose knowledge or suspicion of money laundering in the regulated sector are not committed where the information obtained is solely as a result of complying with an eligibility verification notice.

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