

Status: Point in time view as at 05/09/2018. This version of this provision has been superseded.
Changes to legislation: Welfare Reform Act (Northern Ireland) 2007, Section 24 is up to date with all changes known to be in force on or before 01 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)



2007 CHAPTER 2

PART 1

EMPLOYMENT AND SUPPORT ALLOWANCE

General

Interpretation, etc. of Part 1

24.—(1) In this Part—

[^{F1}“child” means a person under the age of 16;]

“claimant” means a person who has claimed an employment and support allowance;

[^{F2}“contributory allowance” has the meaning given by section 1(7);]

“employment” and “employed” have the meanings prescribed for the purposes of this Part;

“entitled”, in relation to an employment and support allowance, is to be construed in accordance with—

- (a) the provisions of this Act,
- (b) section 1 of the Administration Act (entitlement dependent on making of claim), and
- (c) Article 27 of the 1998 Order (restrictions on entitlement in certain cases of error);

[^{F2}“income-related allowance” has the meaning given by section 1(7);]

“income support” means income support under section 123 of the Contributions and Benefits Act;]

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“limited capability for work” shall be construed in accordance with section 1(4);

“limited capability for work-related activity” shall be construed in accordance with section 2(5);

“period of limited capability for work” has the meaning prescribed for the purposes of this Part;

“prescribed” means specified in, or determined in accordance with, regulations;

“regulations” means regulations made by the Department;

[^{F1}“single person” means an individual who is not a member of a couple (within the meaning of Part 2 of the Welfare Reform (Northern Ireland) Order 2015);]

“week” means a period of seven days beginning with a Sunday or such other period of seven days as may be prescribed;

[^{F1}“work” has such meaning as may be prescribed;]

[^{F1}“work-focused interview requirement” has the meaning given by section 11B;]

[^{F1}“work preparation requirement” has the meaning given by section 11C;]

[^{F3}“work-related activity”, in relation to a person, means activity which makes it more likely that the person will obtain or remain in work or be able to do so;]

[^{F1}“work-related requirement” has the meaning given by section 11;]

(2) For the purposes of this Part, the assessment phase, in relation to a claimant, is the period—

- (a) beginning, subject to subsection (3), with the first day of the period for which he is entitled to an employment and support allowance, and
- (b) ending with such day as may be prescribed.

(3) Regulations may prescribe circumstances in which the assessment phase is to begin with such day as may be prescribed.

[^{F4}(3A) For the purposes of this Part, a person is a lone parent if the person—

- (a) is not a member of a couple (within the meaning given by section 133(1) of the Contributions and Benefits Act), and
- (b) is responsible for, and a member of the same household as, a person under the age of 16.

(3B) For the purposes of subsection (3A)(b) regulations may make provision—

- (a) as to circumstances in which one person is to be treated as responsible or not responsible for another;
- (b) as to circumstances in which persons are to be treated as being or not being members of the same household.]

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(4) For the purposes of this Part, a person is a member of the support group if he is a person in respect of whom it is determined that he has, or is to be treated as having, limited capability for work-related activity.

F⁵(5)

F⁵(6)

Textual Amendments

- F1** Words in s. 24(1) inserted (2.5.2016 for specified purposes, 27.9.2017 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), arts. 2(2), **63(4)(a)**; S.R. 2016/215, art. 2(3)(b); S.R. 2017/190, art. 9 (with arts. 10-25)
- F2** Words in s. 24(1) repealed (27.9.2017 for specified purposes, 15.11.2017 and 13.12.2017 for specified purposes, 17.1.2018 and further specified dates for specified purposes, 16.5.2018 and further specified dates for specified purposes, 5.9.2018 and further specified dates for specified purposes) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), **Sch. 12 Pt. 1**; S.R. 2017/190, art. 6, Sch. 2 (with arts. 7, 8, 10-25, Sch. 3); S.R. 2017/216, art. 4 (with art. 5); S.R. 2018/1, art. 4 (with art. 5); S.R. 2018/97, art. 4 (with art. 5); S.R. 2018/138, art. 4 (with art. 5)
- F3** Words in s. 24(1) substituted (2.5.2016 for specified purposes, 27.9.2017 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), arts. 2(2), **63(4)(b)**; S.R. 2016/215, art. 2(3)(b); S.R. 2017/190, art. 9 (with arts. 10-25)
- F4** S. 24(3A)(3B) inserted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), **ss. 3(5), 36(1)(b)**
- F5** S. 24(5)(6) omitted (8.5.2016) by virtue of [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), **Sch. 6 para. 59** (with art. 9(2))

Commencement Information

- I1** S. 24 wholly in operation at 27.10.2008; s. 24 not in operation at Royal Assent see s. 60(1); s. 24(1) in operation for certain purposes at 1.7.2008 and 27.10.2008 by [S.R. 2008/276](#), **art. 2(2)(c), Sch. Pt. 1**; s. 24(2)(b)(3) in operation for certain purposes at 1.7.2008 and wholly in operation at 27.10.2008 by [S.R. 2008/276](#), **art. 2(2)(c), Sch. Pt. 1**; s. 24 in operation at 27.10.2008 in so far as not already in operation by [S.R. 2008/276](#), **art. 2(2)(d), Sch. Pt. 2**

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