

These notes refer to the Welfare Supplementary Payments (Amendment) Act (Northern Ireland) 2022 (c.22) which received Royal Assent on 27 April 2022

Welfare Supplementary Payments (Amendment) Act (Northern Ireland) 2022

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 1: Time for qualifying for particular payments

Section 1 extends the period for which payments can be made as specified in Article 137A. This means that mitigation payments in respect of the Social Sector Size Criteria will be able to be made to persons where their entitlement to Housing Benefit or Universal Credit is affected at any time after 2 January 2017. There will be no new end date for these payments.

Section 2: Deemed effect of certain pre-existing provisions

Section 2 clarifies that Article 137A and any regulations made thereunder have had continuous effect from 31 March 2020 (subject to the amendment made by the Act). However, no payments are to be made under the amended Article 137A for the period between 31 March 2020 and the date on which the Act comes into operation. This will ensure that a person who has already received non-statutory mitigation payments during this period cannot become entitled to further payments under Article 137A in respect of the same period.

Section 3: Monitoring and reporting as to statutory arrangements

Section 3 requires the Department for Communities to monitor and report on the operation of the welfare mitigation schemes under both Article 137 and Article 137A. The report is to be laid in the Assembly no later than 31 March 2025. The report will provide the basis for a future assessment of the continuing need for, or amendments to, the welfare mitigation schemes by means of an evaluation of the need to amend, revoke or introduce new legislation. In particular, this will include a view on the provision of a statutory extension beyond 31 March 2025 of those mitigation schemes other than the Social Sector Size Criteria.

Section 4: Commencement and short title

Section 4 makes provision about the commencement of the provisions in the Act and provides for the short title of the Act to be the Welfare Supplementary Payments (Amendment) Act (Northern Ireland) 2022.