



# **Welfare Reform Act (Northern Ireland) 2007**

## CHAPTER 2

### WELFARE REFORM ACT (NORTHERN IRELAND) 2007

#### PART 1

#### EMPLOYMENT AND SUPPORT ALLOWANCE

##### *Entitlement*

1. Employment and support allowance
- 1A Duration of contributory allowance
- 1B Further entitlement after time-limiting
- 1C Claimant commitment
2. Amount of contributory allowance
3. Deductions from contributory allowance: supplementary
4. Amount of income-related allowance
5. Advance award of income-related allowance
6. Amount payable where claimant entitled to both forms of allowance
7. Exclusion of payments below prescribed minimum

##### *Assessments relating to entitlement*

8. Limited capability for work
9. Limited capability for work-related activity

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10. Report

*Work-related requirements*

- 11. Work-related requirements
- 11A Claimant commitment
- 11B Work-focused interview requirement
- 11C Work preparation requirement
- 11D Persons subject to no work-related requirements
- 11E Persons subject to work-focused interview requirement only
- 11F Persons subject to work preparation and work-focused interview requirement
- 11G Connected requirements
- 11H Imposition of requirements
- 11I Compliance with requirements
- 11J Sanctions
- 11K Concurrent exercise of certain functions by Department for Employment and Learning
- 11L Delegation and contracting out
- 12. Work-focused interviews
- 13. Work-related activity
- 14. Action plans in connection with work-focused interviews
- 15. Directions about work-related activity
- 16. Contracting out
- 16A Hardship payments

*Miscellaneous*

- 17. Income and capital: general
- 18. Disqualification
- 19. Pilot schemes
- 20. Relationship with statutory payments
- 21. Deemed entitlement for other purposes
- 22. Supplementary provisions
- 23. Recovery of sums in respect of maintenance

*General*

- 24. Interpretation, etc. of Part 1
- 25. Regulations and orders
- 26. Assembly control
- 27. Financial provisions relating to Part 1
- 28. Consequential amendments relating to Part 1
- 29. Transition relating to Part 1

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## PART 2

### HOUSING BENEFIT

30. Local housing allowance
31. Loss of housing benefit following eviction for anti-social behaviour, etc.
32. Housing benefit for persons taking up employment
33. Section 32: supplemental
34. Sections 32 and 33: interpretation
35. Payment of housing benefit
36. Directions by Department
37. Minor and consequential amendments relating to Part 2

## PART 3

### SOCIAL SECURITY ADMINISTRATION: GENERAL

#### *Sharing of social security information*

38. Social security information
39. Information relating to certain benefits
40. Unlawful disclosure of certain information

#### *Overpayment recovery*

41. Recovery of overpaid benefit

#### *Benefit fraud*

42. Housing Executive powers to investigate benefit fraud
43. Housing Executive powers to prosecute benefit fraud
44. Housing Executive functions relating to benefit: information
45. Loss of benefit for commission of benefit offences

## PART 4

### MISCELLANEOUS

#### *Benefits for bereaved persons*

46. Widowed mother's allowance
47. Widowed parent's allowance

#### *Disability living allowance: age conditions*

48. Care component of disability living allowance: persons under the age of 16
49. Mobility component of disability living allowance: persons under the age of 16

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*Social fund*

- 50. Matters to which regard must be had in awarding budgeting loans
- 51. Allocations from Social Fund

*Compensation for pneumoconiosis etc.*

- 52. “Relevant employer”
- 53. “Dependant”

*Other*

- 54. Power to stop payment of allowances to care home residents
- 55. Medical examinations
- 56. Minor and consequential amendments relating to Part 4

PART 5

GENERAL

- 57. Interpretation
- 58. Repeals
- 59. Transition
- 60. Commencement
- 61. Short title

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SCHEDULES

SCHEDULE 1 — EMPLOYMENT AND SUPPORT ALLOWANCE:  
ADDITIONAL CONDITIONS

PART 1 — CONTRIBUTORY ALLOWANCE

PART 2 — INCOME-RELATED ALLOWANCE

- 6. (1) The conditions are that the claimant—

SCHEDULE 2 — EMPLOYMENT AND SUPPORT ALLOWANCE:  
SUPPLEMENTARY PROVISIONS

*Limited capability for work*

- 1. Regulations may make provision— (a) for a person to be...

*Waiting days*

- 2. Except in prescribed circumstances, a person is not entitled to...

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*Periods of less than a week*

3. Regulations may make provision in relation to—

*Linking periods*

4. (1) Regulations may provide for circumstances in which a period...

*Exemption*

- 4A Regulations may prescribe circumstances in which a person may be...

*Presence in Northern Ireland*

5. Regulations may make provision for the purposes of this Part...

*Contributory allowance: entitlement in case of absence from Northern Ireland*

6. Regulations may provide that in prescribed circumstances a claimant who...

*Contributory allowance: modification in relation to employment on ships etc.*

7. (1) Regulations may modify any provision of this Part, so...

*Income-related allowance: entitlement in case of absence from Northern Ireland*

8. (1) Regulations may provide that in prescribed circumstances a claimant...

*Limited capability for work-related activity*

9. Regulations may make provision— (a) for a person to be...

*Effect of work*

10. Regulations may prescribe circumstances in which a person is to...

10ZA

*Good reason for failure to comply with certain regulations*

- 10A (1) This paragraph applies to any regulations made under paragraph...

*Responsibility for children*

- 10B Regulations may for any purpose of this Part specify circumstances...

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*Treatment of allowance as “benefit”*

11. Regulations may provide for— (a) an employment and support allowance,...

*Attribution of reductions in cases where allowance taken to consist of two elements*

12. Where an employment and support allowance is taken by virtue...

*Treatment of information supplied as information relating to social security*

13. Information supplied in pursuance of regulations under any of sections...

*Advance claims*

14. This Part shall have effect with prescribed modifications in relation...

SCHEDULE 3 — CONSEQUENTIAL AMENDMENTS RELATING TO PART 1

*The Education Reform (Northern Ireland) Order 1989 (NI 20)*

1. In Article 131 of the Education Reform (Northern Ireland) Order...

*The Child Support (Northern Ireland) Order 1991 (NI 23)*

2. (1) The Child Support (Northern Ireland) Order 1991 is amended...

*The Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)*

3. (1) The Contributions and Benefits Act is amended as follows....

*The Social Security Administration (Northern Ireland) Act 1992 (c. 8)*

4. (1) The Administration Act is amended as follows.

*The Children (Northern Ireland) Order 1995 (NI 2)*

5. (1) The Children (Northern Ireland) Order 1995 is amended as...

*The Jobseekers (Northern Ireland) Order 1995 (NI 15)*

6. (1) The Jobseekers Order is amended as follows.

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*The Road Traffic (Northern Ireland) Order 1995 (NI 18)*

7. In Article 25 of the Road Traffic (Northern Ireland) Order...

*The Pensions (Northern Ireland) Order 1995 (NI 22)*

8. In Schedule 2 to the Pensions (Northern Ireland) Order 1995...

*The Industrial Tribunals (Northern Ireland) Order 1996 (NI 18)*

9. (1) The Industrial Tribunals (Northern Ireland) Order 1996 is amended...

*The Social Security (Northern Ireland) Order 1998 (NI 10)*

10. (1) The 1998 Order is amended as follows.

*The Immigration and Asylum Act 1999 (c. 33)*

11. In section 115 of the Immigration and Asylum Act 1999...

*The Welfare Reform and Pensions (Northern Ireland) Order 1999 (NI 11)*

12. In Article 69 of the Welfare Reform and Pensions (Northern...

*The Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4)*

13. (1) The 2000 Act is amended as follows.

*The Social Security Fraud Act (Northern Ireland) 2001 (c. 17)*

14. (1) The Social Security Fraud Act (Northern Ireland) 2001 is...

SCHEDULE 4 — TRANSITION RELATING TO PART 1

*General power to provide for transition relating to Part 1*

1. (1) Regulations may make such provision as the Department considers...

*Pre-commencement claims*

2. Regulations may— (a) make provision for a claim for incapacity...

*Post-commencement claims*

3. Regulations may— (a) make provision excluding the making of a...

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*Award of employment and support allowance for pre-commencement period*

4. Regulations may— (a) make provision for an employment and support...

*Matching of awards of employment and support allowance*

5. (1) For the purposes of this paragraph, an award of...
6. (1) For the purposes of this paragraph an award of...

*Treatment of existing awards*

7. (1) Regulations may— (a) make provision for converting existing awards...

*Transitional allowances*

8. Regulations may— (a) make provision for a person's continuing entitlement...
9. (1) Regulations may prescribe circumstances in which a person who...

*Post-commencement up-rating of incapacity benefit and severe disablement allowance*

10. Regulations may provide for section 132 of the Administration Act...

*Interpretation*

11. In this Schedule— “appointed day” means the day appointed for...

SCHEDULE 5 — MINOR AND CONSEQUENTIAL AMENDMENTS  
RELATING TO PART 2

*The Social Security Administration (Northern Ireland) Act 1992 (c. 8)*

1. The Administration Act is amended as follows.
2. In section 128E (information about attainment of standards), in subsection...
3. (1) Section 128F (enforcement notices) is amended as follows.
4. (1) Section 128G (enforcement determinations) is amended as follows.
5. In section 167(1) (interpretation), in the definition of “prescribe” at...



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*The Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4)*

6. In Schedule 7 to the 2000 Act (housing benefit: revisions...

SCHEDULE 6 — SCHEDULE TO BE INSERTED IN THE PNEUMOCONIOSIS, ETC., (WORKERS' COMPENSATION) (NORTHERN IRELAND) ORDER 1979

SCHEDULE 7 — MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO PART 4

*The Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)*

1. (1) The Contributions and Benefits Act is amended as follows....

*The Social Security Administration (Northern Ireland) Act 1992 (c. 8)*

2. (1) The Administration Act is amended as follows.

*The Deregulation and Contracting Out (Northern Ireland) Order 1996 (NI 11)*

3. In Article 17 of the Deregulation and Contracting Out (Northern...

*The Social Security (Northern Ireland) Order 1998 (NI 10)*

4. In Article 38(7) of the 1998 Order (principles applicable on...

SCHEDULE 8 — REPEALS

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