

*Status: Point in time view as at 08/05/2016. This version of this provision has been superseded.*  
*Changes to legislation: Welfare Reform Act (Northern Ireland) 2007, Section 13 is up to date with all changes known to be in force on or before 18 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

*[<sup>F1</sup>Work-related requirements]*

##### **Work-related activity**

**13.**—<sup>F1</sup>(1) Regulations may make provision for or in connection with imposing on a person who is subject to a requirement imposed under section 12(1) <sup>F2</sup>, and who is not a lone parent of a child under the age of 3,] a requirement to undertake work-related activity in accordance with regulations as a condition of continuing to be entitled to the full amount payable to him in respect of an employment and support allowance apart from the regulations.

(2) Regulations under this section may, in particular, make provision—

- (a) prescribing circumstances in which such a person is subject to a requirement to undertake work-related activity in accordance with regulations;
- (b) for notifying such a person of any such requirement;
- (c) prescribing the time or times at which a person who is subject to such a requirement is required to undertake work-related activity and the amount of work-related activity he is required at any time to undertake;
- (d) prescribing circumstances in which a person who is subject to such a requirement is, or is not, to be regarded as undertaking work-related activity;

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- (e) for securing that the appropriate consequence follows if a person who is subject to such a requirement—
  - (i) fails to comply with the regulations, and
  - (ii) does not, within a prescribed period, show that he had good cause for that failure;
- (f) prescribing the evidence which a person who is subject to such a requirement needs to provide in order to show that he has complied with the regulations;
- (g) prescribing matters which are, or are not, to be taken into account in determining whether a person has complied with the regulations;
- (h) prescribing matters which are, or are not, to be taken into account in determining whether a person had good cause for any failure to comply with the regulations;
- (i) prescribing circumstances in which a person is, or is not, to be regarded as having good cause for any such failure.

(3) For the purposes of subsection (2)(e), the appropriate consequence of a failure falling within that provision is that the amount payable to the person in question in respect of an employment and support allowance is to be reduced in accordance with regulations.

(4) Regulations under subsection (3) may, in particular, make provision for determining—

- (a) the amount by which an allowance is to be reduced,
- (b) when the reduction is to start, and
- (c) how long it is to continue,

and may include provision prescribing circumstances in which the amount of the reduction is to be nil.

(5) Regulations under this section shall include provision for a requirement to undertake work-related activity in accordance with regulations to cease to have effect if the person subject to the requirement becomes a member of the support group.

(6) Regulations under this section may include provision that in such circumstances as the regulations may provide a person's obligation under the regulations to undertake work-related activity at a particular time is not to apply, or is to be treated as not having applied.

[<sup>F3</sup>(6A) Regulations under this section shall include provision for securing that lone parents are entitled (subject to meeting any prescribed conditions) to restrict the times at which they are required to undertake work-related activity.]

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(7) In this Part, “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.]

#### Textual Amendments

- F1** Ss. 11-11L and cross-heading substituted for ss. 11-16 and cross-heading (2.5.2016 for specified purposes) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), arts. 2(2), 63(2); S.R. 2016/215, art. 2(3)(b)
- F2** Words in s. 13(1) inserted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), **ss. 3(4)(a)**, 36(1)(b)
- F3** S. 13(6A) inserted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), **ss. 3(4)(b)**, 36(1)(b)

#### Commencement Information

- II** S. 13 wholly in operation at 11.7.2011; s. 13 not in operation at Royal Assent see s. 60(1); s. 13(7) in operation at 27.10.2008 by [S.R. 2008/425](#), **art. 2**; s. 13(1)-(6) in operation at 11.7.2011 by [S.R. 2011/260](#), **art. 2**

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