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## STATUTORY INSTRUMENTS

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# 2015 No. 2006 (N.I. 1)

## SOCIAL SECURITY

### The Welfare Reform (Northern Ireland) Order 2015

Made - - - - 9th December 2015

Coming into force in accordance with Article 2

## THE WELFARE REFORM (NORTHERN IRELAND) ORDER 2015

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4. Transitory provision
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- 18. Work-related requirements: introductory
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- 37. Supplementary and consequential amendments
- 38. Power to make supplementary and consequential provision etc.

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- 39. Abolition of benefits
- 40. Universal credit and the state pension credit
- 41. Universal credit and working-age benefits
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- 46. Interpretation of Part 2

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*Personal independence payment*

- 82. Personal independence payment

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- 88. Persons of pensionable age
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- 95. Abolition of disability living allowance
- 96. Amendments
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- 98. Transitional
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- 101A. Benefit cap review
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- 108. Electronic communications

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#### *Recovery of benefits*

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- 116. Amount of penalty

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- 120. Information-sharing in relation to provision of overnight care etc.
- 121. Information-sharing in relation to welfare services etc.
- 122. Unlawful disclosure of information
- 123. Articles 120 to 122: supplementary
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#### *Reports by Department*

- 125. Reports by Department

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- 126. Supporting maintenance agreements
- 127. Collection of child support maintenance
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- 129. Recovery of child support maintenance by deduction from benefit
- 130. Fees
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#### *Employment and training*

- 132. Use of jobcentres by sex industry

#### *Reduced dog licence fees for those in receipt of income-related benefits*

- 133. Reduced fee for dog licences

#### *Rate relief schemes: application of housing benefit law*

- 134. Rate relief schemes: application of housing benefit law

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#### *Discretionary support*

- 135. Discretionary support
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#### *Payments to persons suffering financial disadvantage*

- 137. Payments to persons suffering financial disadvantage
- 137A Payments to persons affected by social sector size criteria in calculation of universal credit or housing benefit
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Signature

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- 2. Linking periods
- 3. Couples
- 4. Calculation of capital and income
- 5. Responsibility for children etc.
- 6. Vouchers
- 7. Work-related requirements
- 8. Good reason

### SCHEDULE 2 — Universal credit: amendments

- 1. The Education Reform (Northern Ireland) Order 1989 (NI 20)
- 2. The Child Support (Northern Ireland) Order 1991 (NI 23)
- 3. The Social Security Administration (Northern Ireland) Act 1992 (c. 8)
- 4. In section 1 (entitlement to benefit dependent on claim), in...
- 5. In section 5 (regulations about claims and payments)—
- 6. (1) Section 13A (payment out of benefit of sums in...
- 7. In section 72 (income support and other payments), in subsection...
- 8. In section 72A (payments of benefit where maintenance payments collected...
- 9. In section 74 (recovery of social fund awards), in subsection...
- 10. In section 100 (failure to maintain - general), in subsection...
- 11. In section 101 (recovery of expenditure on benefit from person...
- 12. In section 103 (reduction of expenditure on income support etc),...
- 13. In section 115CA (interpretation of Part 6), in subsection (1),...
- 14. In section 116B (supply of other government information for fraud...
- 15. In section 118 (regulations as to notification of death), in...

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16. In section 119 (information from personal representatives), in subsection (1),...
17. In section 122 (duties of employers; statutory sick pay etc.),...
18. In section 124 (duties of employers; statutory maternity pay etc.),...
19. After section 139C insert— Effect of alterations affecting universal credit...
20. After section 140B insert— Implementation of increases in universal credit...
21. In section 145 (adjustments between National Insurance Fund and Consolidated...
22. In section 149 (functions of Social Security Advisory Committee in...
23. (1) Section 155 (reciprocal agreements with countries outside the United...
24. In section 156 (payment of travelling expenses), in paragraphs (a)...
25. In section 158B (information about postal redirection) in subsection (5) (b),...
26. In section 163 (certain benefits to be inalienable), in subsection...
27. In section 167(1) (interpretation), in the definition of “benefit”, after...
28. The Children (Northern Ireland) Order 1995 (NI 2)
29. The Jobseekers (Northern Ireland) Order 1995 (NI 15)
30. The Deregulation and Contracting Out (Northern Ireland) Order 1996 (NI 11)
31. The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997 (NI 12)
32. In Article 2 (interpretation), in the definition of “benefit”, after...
33. In the table in Schedule 2 (calculation of compensation payment),...
34. The Social Security (Northern Ireland) Order 1998 (NI 10)
35. In Article 4 (use of computers), in paragraph (2)—
36. In Article 9 (decisions by the Department)—
37. In Article 12 (regulations with respect to decisions), in paragraph...
38. In Article 27 (restriction on entitlement in cases of error),...
39. In Article 28 (correction of errors in decisions etc.), in...
40. In Article 39 (interpretation), in paragraph (1), after the definition...
41. (1) Schedule 2 (decisions against which no appeal lies) is...
42. In Schedule 3 (decisions against which an appeal lies), after...
43. The Immigration and Asylum Act 1999 (c. 33)
44. The Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4)
45. The Social Security Fraud Act (Northern Ireland) 2001 (c. 17)
46. In section 5A (definitions), in subsection (1)—
47. (1) Section 5B (loss of benefit in case of conviction),...
48. (1) Section 6 (loss of benefit for commission of benefit...
49. (1) Section 7 (effect of offence on joint-claim jobseeker's allowance)...
50. (1) Section 8 (effect of offence on benefits for members...
51. In section 9(3) (power to supplement and mitigate loss of...
52. (1) In section 10 (loss of benefit regulations), subsection (3)...
53. The State Pension Credit Act (Northern Ireland) 2002 (c. 14)
54. The Welfare Reform Act (Northern Ireland) 2007 (c. 2)

#### SCHEDULE 3 — Abolition of benefits: consequential amendments

1. The Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)
2. In section 22 (earnings factors), in subsections (2)(a) and (5),...
3. In section 146 (interpretation of Part 10), in subsection (2)—...
4. The Social Security Administration (Northern Ireland) Act 1992 (c. 8)



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5. In section 71 (overlapping benefits), in subsections (1) and (4)(c),...
6. In section 139A(5) for the definition of “applicable sums” substitute—...
7. In section 139B (effect of alterations affecting state pension credit),...
8. In section 139C (effect of alteration of rates of an...
9. In section 139D (as inserted by Schedule 2 to this...
10. In section 158B (information about postal redirection) in subsection (7),...
11. The Social Security (Northern Ireland) Order 1998 (NI 10)
12. The Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4)
13. The Social Security Fraud Act (Northern Ireland) 2001 (c. 17)
14. In section 5B (loss of benefit for conviction etc.), in...
15. In section 6 (loss of benefit for commission of benefit...
16. In section 10 (loss of benefit regulations), in subsection (3)(c),...
17. The Welfare Reform Act (Northern Ireland) 2007 (c. 2)
18. In section 1 (employment and support allowance), in subsection (3)(d),...
19. In section 2 (amount of contributory allowance), in subsection (1),...
20. In section 27 (financial provisions)— (a) in subsection (1), for...
21. In each of the following provisions, for “a contributory allowance”...

#### SCHEDULE 4 — Housing credit element of state pension credit

##### PART 1 — Amendments to State Pension Credit Act (Northern Ireland) 2002

1. The State Pension Credit Act (Northern Ireland) 2002 (c. 14)
2. In section 1 (entitlement), in subsection (2)(c) at the end...
3. In section 1, in subsection (3)— (a) after paragraph (b)...
4. After section 3 insert— Housing credit (1) The first of the conditions mentioned in section 1(2)(c)(iii)...
5. In section 7 (fixing of retirement provision for assessed income...
6. In section 12 (polygamous marriages), in subsection (2)(b), after “savings...
7. In section 17 (interpretation), in subsection (1), after the definition...
8. In Schedule 2 (consequential amendments etc.), paragraph 9(d)(i) is repealed...

##### PART 2 — Amendments to other Acts

9. The Social Security Administration (Northern Ireland) Act 1992 (c. 8)
10. In section 5 (regulations about claims and payments), in subsection...
11. In section 13A (mortgage interest)— (a) in subsection (1A)—
12. The Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4)

#### SCHEDULE 5 — Universal credit and other working age benefits

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2. Dual entitlement
3. Movement between working-age benefits
4. Hardship payments
5. Earnings tapers
6. (1) Section 2 of the Welfare Reform Act (Northern Ireland)...

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2. Claims before the appointed day
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5. Work-related requirements and sanctions
6. Supplementary

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7. Regulations under paragraph 1(1) may amend or modify the application...

SCHEDULE 7 — Jobseeker's allowance in interim period: consequential amendments

1. The Jobseekers (Northern Ireland) Order 1995 (NI 15)
2. In Article 2 (interpretation), in paragraph (2), before the definition...
3. (1) Article 10 (attendance etc.) is amended as follows.
4. In Articles 18(3)(b) and 19(4) for “good cause” substitute “...
5. In Article 19A (employment schemes), in paragraph (5)(c) for “jobseeker's...
6. Article 22 (exemptions from Article 21) is amended as follows—...
7. Articles 22C and 22D (sanctions for violent conduct etc. in...
8. In Article 24 (members of the forces), in paragraph (2),...
9. In Article 36 (regulations and orders), after paragraph (2) insert—...
10. (1) Schedule 1 (supplementary) is amended as follows.
11. The Social Security (Northern Ireland) Order 1998 (NI 10)
12. The Social Security Fraud Act (Northern Ireland) 2001 (c. 17)
13. The Welfare Reform Act (Northern Ireland) 2010 (c. 13)
14. (1) Section 25 (well-being of children) is amended as follows....
15. (1) Section 26 (contracting out) is amended as follows.

SCHEDULE 8 — Social fund discretionary payments: consequential amendments

1. The Administration Act is amended as follows.
2. In section 74(4) (recovery of funeral payments out of social...
3. In section 75 (recovery of Great Britain payments), in paragraph...
4. In Part 1 of Schedule 4 (persons employed in social...

SCHEDULE 9 — Personal independence payment: amendments

1. The Child Support (Northern Ireland) Order 1991 (NI 23)
2. The Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)
3. In section 30B (incapacity benefit: rate), in subsection (4), after...
4. (1) Section 64 (entitlement to attendance allowance) is amended as...
5. In section 146 (Christmas bonus for pensioners: interpretation), in subsection...
6. The Social Security Administration (Northern Ireland) Act 1992 (c. 8)
7. (1) Section 1 (entitlement to benefit dependent on claim) is...
8. In section 5(2) (regulations about claims for and payments of...
9. In section 69(11) (overpayments), after paragraph (ac) insert—
10. In section 71 (overlapping benefits - general), after subsection (5)...
11. In section 115CA (interpretation of Part 6), in subsection (1),...
12. In section 116B (supply of other government information for fraud...
13. In section 116C (supply of information to the Housing Executive),...
14. In section 118 (regulations as to notifications of deaths), in...
15. In section 139 (effect in alteration in the component rates...
16. In section 139A (effect of alteration of rates of a...
17. In section 139B (effect of alterations affecting state pension credit),...
18. In section 139C (effect of alteration of rates of an...
19. In section 140 (implementation of increases in income support due...
20. In section 140A (implementation of increases in income-based jobseeker's allowance...
21. In section 140B (implementation of increases in employment and support...
22. In section 145 (adjustments between National Insurance Fund and Consolidated...

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23. In section 149 (functions of Social Security Advisory Committee in...
24. (1) Section 155 (reciprocal agreements) is amended as follows.
25. In section 156 (payment of travelling expenses), in paragraphs (a)...
26. In section 158B (information about postal redirection), in subsection (5) (b),...
27. In section 160 (control of pneumoconiosis), in subsection (1)(c) for...
28. In section 163 (inalienability), in subsection (1), after paragraph (ac)...
29. In section 167 (interpretation), in subsection (1), in the definition...
30. In Schedule 5 (regulations not requiring prior submission to Social...
31. The Road Traffic (Northern Ireland) Order 1995 (NI 18)
32. The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997 (NI 12)
33. In Article 2(2) (interpretation), in the definition of “benefit”, after...
34. In Schedule 2 (calculation of compensation payment), in the table—...
35. The Social Security (Northern Ireland) Order 1998 (NI 10)
36. In Article 4(2) (use of computers), after sub-paragraph (k) (inserted...
37. In Article 9 (decisions by the Department)—
38. In Article 12(3) (regulations with respect to decisions), in the...
39. In Article 27(7) (restrictions on entitlement to benefit in cases...
40. In Article 28(3) (correction of errors in decisions etc.), after...
41. In Schedule 3 (decisions against which an appeal lies), in...
42. The Immigration and Asylum Act 1999 (c. 33)
43. The Social Security Fraud Act (Northern Ireland) 2001 (c. 17)
44. In section 5A (definitions) in the definition of “disqualifying benefit”,...
45. In section 9 (power to supplement and mitigate loss of...

#### SCHEDULE 10 — Personal independence payment: transitional

1. General
2. Claims before the appointed day
3. Claims on or after the appointed day
4. Awards of existing allowance
5. Supplementary

#### SCHEDULE 11 — Power to require consideration of revision before appeal

1. The Child Support (Northern Ireland) Order 1991 (NI 23)
2. In Article 22 (appeals to appeal tribunals), as substituted by...
3. In Article 22 (appeals to appeal tribunals), as it has...
4. In Article 47A (pilot schemes) (as inserted by section 32...
5. In Article 48 (regulations and orders), in paragraph (2)(a), after...
6. The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997 (NI 12)
7. (1) Article 13 (appeals against certificates) is amended as follows....
8. (1) Article 28 (regulations and orders) is amended as follows....
9. The Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4)
10. (1) Paragraph 6 of Schedule 7 (housing benefit: appeal to...
11. In paragraph 20(4) of Schedule 7 (regulations subject to confirmatory...
12. The Mesothelioma, etc., Act (Northern Ireland) 2008 (c. 9)
13. In section 4(2) (regulations regarding reconsideration) after “and” insert “...
14. (1) Section 5 (appeals to appeal tribunal) is amended as...
15. In section 10(2) (Assembly control) after “section 1” insert “...

#### SCHEDULE 12 — Repeals

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- PART 1 — Abolition of benefits superseded by universal credit
- PART 2 — Entitlement to jobseeker's allowance without seeking employment
- PART 3 — Jobseeker's allowance: responsibilities for interim period
- PART 4 — Jobseeker's allowance: responsibilities after introduction of universal credit
- PART 5 — Employment and support allowance: responsibilities after introduction of universal credit
- PART 6 — Industrial injuries arising before 5th July 1948
- PART 7 — Social fund: ending of discretionary payments
- PART 8 — Disability living allowance
- PART 9 — Powers to require information relating to claims and awards
- PART 10 — Recovery of benefit payments
- PART 11 — Loss of benefit
- PART 12 — Information-sharing

Explanatory Note

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