
DRAFT STATUTORY INSTRUMENTS

2015 No.

The Welfare Reform (Northern Ireland) Order 2015

PART 7

Miscellaneous

Payments to persons suffering financial disadvantage

Payments to persons suffering financial disadvantage

137.—(1) The purpose of this Article is to enable the Department to make payments to persons who suffer financial disadvantage as a result of the changes to social security benefits and tax credits contained in this Order and the Welfare Reform Act 2012.

(2) The Department may by regulations make provision for the purpose mentioned in paragraph (1).

(3) Regulations under this Article may in particular make provision—

- (a) for determining whether a person has suffered financial disadvantage as a result of the changes mentioned in paragraph (1) and, if so, the amount of that disadvantage;
- (b) for determining eligibility for payments, including provision for payments to be made only in prescribed circumstances or only to persons who meet prescribed conditions;
- (c) for determining—
 - (i) the amount of payments;
 - (ii) the period or periods for or in respect of which payments are to be made;
- (d) for claims for payments to be made in prescribed cases and in the prescribed form and manner and for the procedures to be followed in dealing with and disposing of such claims;
- (e) for payments to be made in prescribed cases without any claim being made;
- (f) imposing conditions on persons claiming or receiving payments, including conditions requiring them to provide to the Department such information as may be prescribed;
- (g) for payments to cease to be made in prescribed circumstances;
- (h) for the disclosure of information relating to payments in prescribed circumstances or to prescribed persons;
- (i) for the recovery of payments by the Department in prescribed circumstances;
- (j) requiring or authorising reviews (whether by the Department or by prescribed persons) of decisions made by the Department with respect to the making or recovery of payments;
- (k) imposing functions on a statutory body other than the Department in connection with the administration of the regulations;
- (l) for such other matters as appear to the Department to be necessary or appropriate in connection with the making of payments including provision creating criminal offences

and provision amending or applying (with or without modification) any statutory provision.

(4) The Department shall, in respect of each financial year in which payments are made, prepare and lay before the Assembly a report on the payments made in that year.

(5) No regulations shall be made under this Article unless a draft of the regulations has been laid before, and approved by resolution of, the Assembly.

(6) If regulations under this Article impose functions on any statutory body other than the Department, the Department must consult that body before making the regulations.

(7) A power conferred by this Article to make regulations includes power—

(a) to make such incidental, supplementary, consequential or transitional provision as appears to the Department to be necessary or expedient for the purposes of those regulations;

(b) to provide for the Department to exercise a discretion in dealing with any matter.

(8) In this Article—

“prescribed” means prescribed by regulations under this Article;

“payment” means a payment under this Article;

“statutory body” means a body established by or under a statutory provision.