
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 166 (C. 10)

SOCIAL SECURITY

**The Welfare Reform and Work (Northern Ireland)
Order 2016 (Commencement No. 3) Order 2017**

Made - - - - 29th August 2017

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by Article 2(1) of the Welfare Reform and Work (Northern Ireland) Order 2016⁽¹⁾.

Those powers are exercisable by the Secretary of State by virtue of Article 4(1)(a) of the Welfare Reform (Northern Ireland) Order 2015⁽²⁾.

Citation

1. This Order may be cited as the Welfare Reform and Work (Northern Ireland) Order 2016 (Commencement No. 3) Order 2017.

Provisions coming into force on 4th September 2017

2. The following provisions of the Welfare Reform and Work (Northern Ireland) Order 2016 come into force on 4th September 2017—

- (a) Article 13 (loans for mortgage interest, etc.);
- (b) Article 14 (Article 13: further provision)
- (c) Article 15(2) to (8) and (11) (consequential amendments);
- (d) Article 16 (transitional provisions).

Provisions coming into force on 27th September 2017

3. The following provisions of the Welfare Reform and Work (Northern Ireland) Order 2016 come into force on 27th September 2017—

- (a) Article 11;
- (b) Article 12.

(1) [S.I. 2016/999 \(N.I. 1\)](#).

(2) [S.I. 2015/2006 \(N.I. 1\)](#). Article 4 of the Welfare Reform (Northern Ireland) Order 2015 was amended by Article 4 of the Welfare Reform and Work (Northern Ireland) Order 2016.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State for Work and Pensions

29th August 2017

Caroline Dinéage
Parliamentary Under Secretary of State
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

This Order brings into force provisions in the Welfare Reform and Work (Northern Ireland) Order 2016 relating to loans for mortgage interest. It also brings into force a provision which removes the ability for the limited capability for work element to be paid to universal credit claimants and a provision which makes changes to the work-related requirements which apply to certain responsible carers in universal credit.

Article 2 brings Articles 13 (loans for mortgage interest, etc.), 14 (Article 13: further provision), 15(2) to (8) and (11) (consequential amendments) and 16 (transitional provisions) of the Welfare Reform and Work (Northern Ireland) Order 2016 into force from 4 September 2017. Article 13 of the Welfare Reform and Work (Northern Ireland) Order 2016 makes provision for help with mortgage interest to be in the form of a loan rather than a benefit. Article 14 enables the Department for Communities to set out further detail about the loans scheme in the regulations made under Article 13. Article 16 makes provision about the transition from the current provision of support for mortgage interest to the new loans scheme. Article 15 contains consequential amendments which:

- (a) bring regulations about loans for mortgage interest within the remit of the Social Security Advisory Committee (Article 15(2) and (3));
- (b) apply various procedural provisions that apply to social security benefits to decisions about loans for mortgage interest (Article 15(4) to (8));
- (c) apply provisions on information sharing between the Department, the Housing Executive and other persons to loans for mortgage interest (Article 15(11)).

Article 3 brings into force Article 11 (universal credit: limited capability for work) and Article 12 (universal credit: work-related requirements) of the Welfare Reform and Work (Northern Ireland) Order 2016 on 27th September 2017. Article 11 removes provision for the limited capability for work element to be paid to universal credit claimants. It amends Article 17 of the Welfare Reform (Northern Ireland) Order 2015 which provides for an award of universal credit to include an amount in respect of such particular needs or circumstances as may be prescribed in regulations so that the fact that a claimant has limited capability for work is no longer a need or circumstance that may be prescribed. Article 12 of the Welfare Reform and Work (Northern Ireland) Order 2016 changes conditionality for responsible carers so that those with a child aged 3 or 4 should be subject to all work related requirements and those with a child aged 2 should be subject to work-focused interview requirements and work preparation requirements.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Article 5 (for remaining purposes)	7th November 2016	2016 No. 374
Article 9(1) to (3)	3 rd April 2017	2017 No. 46
Article 9(4) to (6)	11 th March 2017	2017 No. 46

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Article 10	11 th March 2017	2017 No. 46