



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

## CHAPTER 2

### WELFARE REFORM ACT (NORTHERN IRELAND) 2007

#### PART 1

#### EMPLOYMENT AND SUPPORT ALLOWANCE

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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*

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10. Report

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12. Work-focused interviews
13. Work-related activity
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## PART 2

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- 48. Care component of disability living allowance: persons under the age of 16
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*Compensation for pneumoconiosis etc.*

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PART 5  
GENERAL

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SCHEDULES

SCHEDULE 1 — EMPLOYMENT AND SUPPORT ALLOWANCE:  
ADDITIONAL CONDITIONS  
PART 1 — CONTRIBUTORY ALLOWANCE

*Conditions relating to national insurance*

1. (1) The first condition is that— (a) the claimant has...
2. (1) The second condition is that— (a) the claimant has...
3. (1) For the purposes of paragraphs 1 and 2—

*Condition relating to youth*

4. (1) The third condition is that— (a) the claimant was...

*“Relevant benefit week”*

5. In this Part of this Schedule, “relevant benefit week” means...
- 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...

*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...

*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...

*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.

*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...

*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...

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*Changes to legislation:* There are outstanding changes not yet made by the legislation.gov.uk editorial team to Welfare Reform Act (Northern Ireland) 2007. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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*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...

*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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**Changes and effects yet to be applied to :**

- Pt. 1 applied (with modifications) by [S.R. 2010/312 reg. 6 Sch. 1](#)
- Pt. 1 applied (with modifications) by [S.R. 2010/312 reg. 16 Sch. 2](#)
- Pt. 1 applied (with modifications) by 1992 c. 7 s. 123(6A)(6B) (as inserted) by [2010 c. 13 \(N.I.\) s. 5\(1\)\(b\)](#)
- s. 1(3)(e) repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- s. 1(6) text amended by [2010 c. 13 \(N.I.\) Sch. 1 para. 26](#)
- s. 12(1)(b) text amended by [2010 c. 13 \(N.I.\) s. 3\(3\)](#)
- s. 13(1) text amended by [2010 c. 13 \(N.I.\) s. 3\(4\)\(a\)](#)
- s. 13(6A) inserted by [2010 c. 13 \(N.I.\) s. 3\(4\)\(b\)](#)
- s. 14(5) added by [2010 c. 13 \(N.I.\) s. 25\(2\)](#)
- s. 15(1)(1A)(2) substituted for s. 15(1)(2) by [2010 c. 13 \(N.I.\) s. 10](#)
- s. 18(4)(b) excluded by SR 2008/280 reg. 160(3) (as substituted) by [S.R. 2010/58 reg. 5\(3\)\(a\)](#)
- s. 19(1) text amended by [2010 c. 13 \(N.I.\) s. 22\(2\)](#)
- s. 20(1) substituted by [2010 c. 13 \(N.I.\) s. 6](#)
- s. 24(1) text amended by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- s. 24(3A)(3B) inserted by [2010 c. 13 \(N.I.\) s. 3\(5\)](#)
- s. 39(3)(a) repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- Sch. 1 para. 3(1)(f) amendment to earlier affecting provision SR 2008/280 reg. 13 (as substituted) by [S.R. 2010/200 reg. 9\(7\)](#)
- Sch. 1 para. 6(1)(da) inserted by [2010 c. 13 \(N.I.\) s. 5\(2\)\(a\)](#)
- Sch. 1 para. 6(2A) inserted by [2010 c. 13 \(N.I.\) s. 5\(2\)\(b\)](#)
- Sch. 1 para. 1(1)(c) substituted by [2010 c. 13 \(N.I.\) s. 12\(3\)](#)
- Sch. 1 para. 1(2)(3)(3A) substituted for Sch. 1 para. 1(2)(3) by [2010 c. 13 \(N.I.\) s. 12\(4\)](#)
- Sch. 1 para. 1(1)(a) text amended by [2010 c. 13 \(N.I.\) s. 12\(2\)](#)
- Sch. 1 para. 1(4)(a) text amended by [2010 c. 13 \(N.I.\) s. 12\(5\)\(a\)\(b\)](#)
- Sch. 1 para. 1(4)(b) text amended by [2010 c. 13 \(N.I.\) s. 12\(5\)\(c\)](#)
- Sch. 1 para. 6(1)(d) text amended by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- Sch. 2 para. 10A inserted by [2010 c. 13 \(N.I.\) s. 24\(2\)](#)
- Sch. 3 para. 3(7)(8) deemed not to be in operation by [2010 c. 13 \(N.I.\) s. 30\(4\)](#)
- Sch. 3 para 3(9)(10) repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- Sch. 3 para. 3(7)(8) repealed by [2010 c. 13 \(N.I.\) s. 30\(4\) Sch. 4 Pt. 2](#)
- Sch. 3 para. 6(3) repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 3](#)
- Sch. 3 para. 13 repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 3](#)
- Sch. 3 para. 14(3) repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 3](#)

**Commencement Orders yet to be applied to the Welfare Reform Act  
(Northern Ireland) 2007:**

Commencement Orders bringing provisions within this Act into force:

- S.R. 2010/308 art. 2 commences (2007 c. 2 (N.I.))
- S.R. 2011/260 art. 2 commences (2007 c. 2 (N.I.))

Commencement Orders bringing legislation that affects this Act into force:

- S.R. 2010/327 art. 2 commences (2010 c. 13)
- S.R. 2010/341 art. 2 commences (2010 c. 13 (N.I.))
- S.R. 2011/430 art. 2 commences (2010 c. 13 (N.I.))