Changes to legislation: *Welfare Reform Act (Northern Ireland) 2007, Paragraph 14 is up to date with all changes known to be in force on or before 10 June 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) View outstanding changes*

SCHEDULES

SCHEDULE 3

CONSEQUENTIAL AMENDMENTS RELATING TO PART 1

The Social Security Fraud Act (Northern Ireland) 2001 (c. 17)

14.—(1) The Social Security Fraud Act (Northern Ireland) 2001 is amended as follows.

(2) In section 6 (loss of benefit for commission of benefit offences) after subsection (4A) insert—

"(4B) The Department may by regulations provide that, where the sanctionable benefit is employment and support allowance, any income-related allowance shall be payable, during the whole or a part of any period comprised in the disqualification period, as if one or more of the following applied—

(a) the rate of the allowance were such reduced rate as may be prescribed;

(b) the allowance were payable only if there is compliance by the offender with such obligations with respect to the provision of information as may be imposed by the regulations;

(c) the allowance were payable only if the circumstances are otherwise such as may be prescribed.".

(3) [F1] . . . . . .

(4) In section 8 (effect of offence on benefits for members of offender's family), in subsection (1) (benefits to which section applies), after paragraph (bb) insert—

"(bc) employment and support allowance;".

(5) In that section, after subsection (4A) insert—

"(4B) In relation to cases in which the benefit is employment and support allowance, the provision that may be made by virtue of subsection (2) is provision that, in the case of the offender's family member, any income-related allowance shall be payable, during the whole or a part of any period comprised in the relevant period, as if one or more of the following applied—

(a) the rate of the allowance were such reduced rate as may be prescribed;

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(b) the allowance were payable only if there is compliance by the offender or the offender's family member, or both of them, with such obligations with respect to the provision of information as may be imposed by the regulations;

(c) the allowance were payable only if circumstances are otherwise such as may be prescribed.”.

(6) In section 9 (power to supplement and mitigate loss of benefit provisions) in subsection (3) (definition of “social security benefit”), after paragraph (bb) insert—

“(bc) any benefit under Part 1 of the Welfare Reform Act (Northern Ireland) 2007 (employment and support allowance) or under Part 1 of the Welfare Reform Act 2007;”.

(7) In section 10 (loss of benefit regulations), in subsection (3) (regulations subject to confirmatory procedure), in paragraph (c) after “(4A)”, in both places, insert “ , (4B) ”.

(8) In section 12 (interpretation of sections 6 to 11), after the definitions by reference to the Jobseekers Order insert—

““income-related allowance” has the same meaning as in Part 1 of the Welfare Reform Act (Northern Ireland) 2007 (employment and support allowance);”.

Textual Amendments

F1 Sch. 3 para. 14(3) repealed (23.9.2010) by Welfare Reform Act (Northern Ireland) 2010 (c. 13), ss. 34(1), 36(2), **Sch. 4 Pt. 3**; S.R. 2010/327, **art. 2(2)(c)(vi)(d)**

Commencement Information

I1 Sch. 3 para. 14 wholly in operation at 27.10.2008; Sch. 3 para. 14 not in operation at Royal Assent see s. 60(1); Sch. 3 para. 14(1)-(5)(8) in operation for certain purposes at 1.7.2008 and wholly in operation at 27.10.2008 by S.R. 2008/276, **art. 2(2)(c)**, Sch. Pt. 1; Sch. 3 para. 14 in operation at 27.10.2008 in so far as not already in operation by S.R. 2008/276, **art. 2(2)(d)**, Sch. Pt. 2

Changes to legislation:

Welfare Reform Act (Northern Ireland) 2007, Paragraph 14 is up to date with all changes known to be in force on or before 10 June 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.

View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(3)(za) inserted by S.I. 2015/2006 (N.I.) art. 67(2)
- s. 1(3B) inserted by S.I. 2015/2006 (N.I.) art. 67(3)
- s. 14(5) added by 2010 c. 13 (N.I.) s. 25(2)
- s. 14(5) amendment to earlier affecting provision 2010 c. 13 (N.I.), s. 25(2) by S.I. 2015/2006 (N.I.) art. 60(7)
- s. 14(5) words substituted by S.R. 2016/76 Sch. 6 para. 56(b)
- 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. 2 para. 4B inserted by S.I. 2015/2006 (N.I.) art. 67(4)
- Sch. 3 para. 12(4)(5) repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 1