
DRAFT STATUTORY RULES OF NORTHERN IRELAND

2017 No.

**The Welfare Supplementary Payment
(Amendment) Regulations (Northern Ireland) 2017**

PART 4

**AMENDMENTS TO WELFARE SUPPLEMENTARY PAYMENTS IN RESPECT
OF CONTRIBUTORY EMPLOYMENT AND SUPPORT ALLOWANCE**

Amendments to the Welfare Supplementary Payments Regulations

24. The Welfare Supplementary Payments Regulations (Northern Ireland) 2016 are amended in accordance with this Part.

Meaning of limited capability for work

25. In regulation 7, for paragraph (4) substitute—

“(4) In paragraph (3) “limited capability for work credit” refers to a credit under regulation 8B(1) of the Social Security (Credits) Regulations (Northern Ireland) 1975(1) where paragraph (2)(a)(iva) of that regulation applies and which follows the cessation of the entitlement to contributory employment and support allowance as a consequence of section 1A of the WRA 2007(2).”.

Effect of sanctions

26. After regulation 8 insert—

“Effect of sanctions

8A. For the avoidance of doubt, where a person is subject to a benefit sanction (for example for failure to take part in a work-focused interview), the effect of the sanction is to be disregarded in calculating the amount of welfare supplementary payment payable.”.

Effective date of change in circumstances

27. After regulation 9 insert—

“Effective date of change of circumstances

9A.—(1) This regulation applies where, as a consequence of a change of circumstances as set out in regulation 9, there is a change in the amount of welfare supplementary

(1) S.R. 1975 No. 113; regulation 8B was inserted by regulation 2(6) of S.R. 1996 No. 430, relevant amending Regulations are S.R. 2000 No. 404, S.R. 2003 No. 151, S.R. 2008 No. 286, S.R. 2010 No. 109 and 2016 No. 175
(2) Section 1A was inserted by Article 57 of the Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006 (N.I. 1)) and is subject to commencement by Article 3 of S.R. 2016 No. 166 (C. 11)

payment to which a person is entitled (including a termination in entitlement to welfare supplementary payment).

(2) The effective date of that change of circumstances, for the purpose of calculating the person's entitlement to welfare supplementary payment, is the date on which the change in the person's award of income-related employment and support allowance or contributory employment and support allowance (as the case may be) takes effect.”.

Persons to whom welfare supplementary payments may be made

28. After regulation 10 insert—

“Persons to whom welfare supplementary payments may be made

10A.—(1) A welfare supplementary payment to which a person is entitled under this Part must be paid to the person, but this is subject to paragraph (2).

(2) Payment may be made to a person appointed under regulation 33 of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(3).”.

Information sharing

29. After regulation 10A insert—

“Information sharing

10B.—(1) The Department may supply to the Commissioners for Her Majesty's Revenue and Customs such information as they may require for the purposes of HMRC functions.

(2) Information supplied under this regulation must not be supplied by the recipient of the information to any other person or body without the authority of the Department.

(3) Where information supplied under this regulation has been used for the purposes for which it was supplied, it is lawful for it to be used for any purposes for which information held for those purposes could reasonably be used.

(4) This regulation does not limit the circumstances in which information may be supplied apart from this regulation.

(5) In this regulation “HMRC functions” means any function—

- (a) for which the Commissioners for Her Majesty's Revenue and Customs are responsible by virtue of section 5 of the Commissioners for Revenue and Customs Act 2005(4), or
- (b) which relates to a matter listed in Schedule 1 to that Act(5).”.

(3) [S.R. 1987 No. 465](#); relevant amending Regulations are [S.R. 1992 No. 7](#), [S.R. 2002 No. 297](#), [S.R. 2005 No. 46](#) and [S.R. 2006 No. 407](#)

(4) [2005 c.11](#); as amended by paragraph 20 of Schedule 3 to, and Part 1 of Schedule 14 to, the Welfare Reform Act 2012 (c.5) and modified by sections 1(7)(a) and 7(8)(a) of the Borders, Citizenship and Immigration Act 2009 (c.11)

(5) Schedule 1 was amended by paragraph 61 of Schedule 1 to the Work and Families Act 2006 (c. 18), Part 1 of Schedule 14 to the Welfare Reform Act 2012 (c. 5) and paragraph 64 of Schedule 7 to the Children and Families Act 2014 (c. 6)