STATUTORY INSTRUMENTS

1999 No. 3147

The Welfare Reform and Pensions (Northern Ireland) Order 1999

PART VI

WELFARE

CHAPTER I

SOCIAL SECURITY BENEFITS

Supplementary

Sharing of functions as regards claims and information

68. After section 5 of the Administration Act there shall be inserted—

"Sharing of functions as regards certain claims and information

Sharing of functions as regards certain claims and information.

5A.—(1) Regulations may, for the purpose of supplementing the persons or bodies to whom claims for relevant benefits may be made, make provision as regards any relevant benefit, for claims for that benefit to be made to any relevant authority (if such claims could not otherwise be made to that authority).

(2) Regulations may make provision for or in connection with—

(a) the forwarding by a relevant authority of—

(i) claims received by virtue of any provision authorised by subsection (1) above, and

(ii) information or evidence supplied in connection with making such claims (whether supplied by persons making the claims or by other persons);

(b) the receiving and forwarding by a relevant authority of information or evidence relating to social security matters supplied by, or the obtaining by a relevant authority of such information or evidence from—

(i) persons making, or who have made, claims for a relevant benefit, or

(ii) other persons in connection with such claims,

including information or evidence not relating to the claims or benefit in question;

(c) the recording by a relevant authority of information or evidence relating to social security matters supplied to, or obtained by, the authority and the holding by the authority of such information or evidence (whether as supplied or obtained or as recorded);

(d) the giving of information or advice with respect to social security matters by a relevant authority to persons making, or who have made, claims for a relevant benefit.

(3) In paragraphs (b) and (d) of subsection (2) above—

(a) references to claims for a relevant benefit are to such claims whether made as mentioned in subsection (1) above or not; and

(b) references to persons who have made such claims include persons to whom awards of benefit have been made on the claims.

(4) Regulations under this section may make different provision for different areas.

(5) Regulations under any other statutory provision may make such different provision for different areas as appears to the Department expedient in connection with any exercise by regulations under this section of the power conferred by subsection (4) above.

(6) In this section—

(a) "benefit" includes child support (any reference to a claim being read, in relation to child support, as a reference to an application under the Child Support (Northern Ireland) Order 1991 for a maintenance assessment);

(b) "relevant authority" means—

(i) a Northern Ireland department,

(ii) a person providing services to a Northern Ireland department,

(iii) any other body established by or under a statutory provision, or

(iv) a person providing services to, or authorised to exercise any function of, such a body;

(c) "relevant benefit" means housing benefit or any other benefit prescribed for the purposes of this section;

(d) "social security matters" means matters relating to social security, child support or war pensions and in this paragraph "war pension" means a war pension within the meaning of section 25 of the Social Security Act 1989 (establishment and functions of war pensions committees).".

Supply of information for certain purposes

69.—(1) The Department may by regulations make such provision for or in connection with any of the following matters, namely—

(a) the use by a person within paragraph (2) of social security information **[**[F1], or information relating to employment or training,**]** held by that person,

(b) the supply (whether to a person within paragraph (2) or otherwise) of social security information **[**[F2], or information relating to employment or training,**]** held by a person within that paragraph,

(c) the relevant purposes for which a person to whom such information is supplied under the regulations may use it, and

(d) the circumstances and extent (if any) in and to which a person to whom such information is supplied under the regulations may supply it to any other person (whether within paragraph (2) or not),

as the Department considers appropriate in connection with any provision to which paragraph (3) applies or in connection with any scheme or arrangements to which paragraph (4) applies.

(2) The persons within this paragraph are—

(a) a Northern Ireland department;

(b) a person providing services to, or designated **[**[F3](specifically or by description)**]** for the purposes of this Article by an order of, a Northern Ireland department;

(c) any other body established by or under a statutory provision; and

(d) a person providing services to, or authorised to exercise any function of, such a body.

(3) This paragraph applies to any provision made by or under—

[[F4](a) any of sections 2A to 2F and 5A of the Administration Act,**]**

(b) Article 57, [F5]. . .

(c) the Jobseekers (Northern Ireland) Order 1995.**[**[F6], [F7]...

(d) Part 1 of the Welfare Reform Act (Northern Ireland) 2007 **[**[F8], or**]]**

[[F9](e) Part 2 of the Welfare Reform (Northern Ireland) Order 2015.**]**

(4) This paragraph applies to—

(a) any scheme designated by regulations under paragraph (1), being a scheme operated by a Northern Ireland department (whether under arrangements with any other person or not) for any purposes connected with employment or training in the case of persons of a particular category or description;

(b) any arrangements of a description specified in such regulations, being arrangements made by a Northern Ireland department for any such purposes.

(5) Regulations under paragraph (1) may, in particular, authorise information supplied to a person under the regulations—

(a) to be used for the purpose of amending or supplementing other information held by that person; and

(b) if it is so used, to be supplied to any other person, and used for any purpose, to whom or for which that other information could be supplied or used.

(6) In this Article—

"relevant purposes" means purposes connected with—

(a) social security or child support, or

(b) employment or training;

"social security information" means information relating to social security, child support or war pensions and in this paragraph "war pensions" means war pensions within the meaning of section 25 of the Social Security Act 1989 (establishment and functions of war pensions committees).

(7) Any reference in this Article to **[**[F10]information relating to, or purposes connected with, employment or training includes information relating to, or purposes connected with,**]** the existing or future employment or training prospects or needs of persons, and (in particular) assisting or encouraging persons to enhance their employment prospects.

F1 Words in art. 69(1)(a) inserted (13.8.2010) by Welfare Reform Act (Northern Ireland) 2010 (c. 13), ss. 36(1)(k), **28(4)(a)**

F2 Words in art. 69(1)(b) inserted (13.8.2010) by Welfare Reform Act (Northern Ireland) 2010 (c. 13), ss. 36(1)(k), **28(4)(a)**

F3 Words in art. 69(2)(b) inserted (17.2.2016) by The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006), arts. 2(2), **124**; S.R. 2016/46, art. 3(4)(i)

F4 Art. 69(3)(a) substituted (13.8.2010) for art. 69(3)(a)(aa) by Welfare Reform Act (Northern Ireland) 2010 (c. 13), ss. 36(1)(a), **2(6)**

F5 Word in art. 69(3)(b) repealed (27.10.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), ss. 58, 60(1), **Sch. 8**; S.R. 2008/276, **art. 2(2)(d)**, Sch. Pt. 2

F6 Art. 69(3)(d) and preceding words added (1.7.2008 for certain purposes otherwise 27.10.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), ss. 28(1), 60(1), **Sch. 3 para. 12**; S.R. 2008/276, **art. 2(2)(c)**, Sch. Pt. 1

F7 Word in art. 69(3)(c) omitted (coming into force in accordance with reg. 1(1) of the amending S.R.) by virtue of The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations (Northern Ireland) 2016 (S.R. 2016/236), regs. 1(1), **11(a)**

F8 Word and comma in art. 69(3)(d) substituted for full stop (coming into force in accordance with reg. 1(1) of the amending S.R.) by The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations (Northern Ireland) 2016 (S.R. 2016/236), regs. 1(1), **11(b)**

F9 Art. 69(3)(e) inserted (coming into force in accordance with reg. 1(1) of the amending S.R.) by The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations (Northern Ireland) 2016 (S.R. 2016/236), regs. 1(1), **11(c)**

F10 Words in art. 69(7) substituted (13.8.2010) by Welfare Reform Act (Northern Ireland) 2010 (c. 13), ss. 36(1)(k), **28(4)(b)**

Changes to legislation:
There are currently no known outstanding effects for the The Welfare Reform and Pensions (Northern Ireland) Order 1999, Cross Heading: Supplementary.