
STATUTORY INSTRUMENTS

2016 No. 999

The Welfare Reform and Work (Northern Ireland) Order 2016

Benefit cap

Review of benefit cap

6.—(1) After Article 101 of the 2015 Order insert—

“Benefit cap review

101A.—(1) If the Secretary of State makes regulations under section 96A(4) of the Welfare Reform Act 2012 which amend section 96(5A)(b) of that Act, the Department may make corresponding regulations amending Article 101(5A).

(2) The regulations may provide for amendments of Article 101(5A) to come into force—

- (a) on different days for different areas;
- (b) on different days for different cases or purposes.

(3) The regulations may make such transitional or transitory provision or savings as the Department considers necessary or expedient in connection with the coming into force of any amendment made by the regulations.

(4) The regulations may in particular—

- (a) provide for Article 101(5A) to have effect as if the amendments made by the regulations had not been made, in relation to such persons or descriptions of persons as are specified in the regulations or generally, until a time or times specified in a notice issued by the Department;
- (b) provide for the Department to issue notices under sub-paragraph (a) specifying different times for different persons or descriptions of person;
- (c) make provision about the issuing of notices under sub-paragraph (a), including provision for the Department to issue notices to the Housing Executive and the Department of Finance that have effect in relation to persons specified, or persons of a description specified, in the notices.”

(2) In Article 102 of the 2015 Order (benefit cap: supplementary) after paragraph (1) insert—

“(1A) Regulations under Article 101A must be laid before the Assembly after being made and take effect on such date as may be specified in the regulations, but shall (without prejudice to the validity of anything done thereunder or to the making of new regulations) cease to have effect upon the expiration of a period of 6 months from that date unless at some time before the expiration of that period the regulations are approved by a resolution of the Assembly.”