
DRAFT STATUTORY INSTRUMENTS

2016 No.

The Welfare Reform and Work (Northern Ireland) Order 2016

Loans for mortgage interest, etc.

Consequential amendments

15.—(1) Section 13A of the Administration Act (payment out of benefit of sums in respect of mortgage interest) is repealed.

(2) In section 170 of the Social Security Administration Act 1992 (Social Security Advisory Committee), in subsection (5) in the definition of “the relevant Northern Ireland enactments”, after paragraph (an) insert—

“(ao) any provisions in Northern Ireland which corresponds to sections 18, 19 and 21 of the Welfare Reform and Work Act 2016;”.

(3) In section 149 of the Administration Act (functions of Social Security Advisory Committee) in subsection (5) after paragraph (am) insert—

“(an) Articles 13, 14 and 16 of the Welfare Reform and Work (Northern Ireland) Order 2016;”.

(4) In Article 4 of the Social Security (Northern Ireland) Order 1998 (use of computers), in paragraph (2)—

(a) omit the “or” after sub-paragraph (k);

(b) after sub-paragraph (n) insert—

“or

(o) Articles 13 to 16 of the Welfare Reform and Work (Northern Ireland) Order 2016.”

(5) In Article 9 of the Social Security (Northern Ireland) Order 1998 (decisions by Department)—

(a) in paragraph (3) (meaning of “relevant benefit”), after sub-paragraph (bb) insert—

“(bc) a loan under Article 13 of the Welfare Reform and Work (Northern Ireland) Order 2016;”;

(b) in paragraph (4) (meaning of “relevant enactment”), for “or section 29 of that Act” substitute “, section 29 of that Act or Articles 13 to 16 of the Welfare Reform and Work (Northern Ireland) Order 2016”.

(6) In Article 12 of the Social Security (Northern Ireland) Order 1998 (regulations with respect to decisions), in paragraph (3), in the definition of “the current legislation”, for “and section 29 of that Act” substitute “, section 29 of that Act and Articles 13 to 16 of the Welfare Reform and Work (Northern Ireland) Order 2016”.

(7) In Article 28 of the Social Security (Northern Ireland) Order 1998 (correction of errors and setting aside of decisions), in paragraph (3)—

(a) omit the “or” after sub-paragraph (i);

(b) after sub-paragraph (j) insert—

“or

(k) Articles 13 to 16 of the Welfare Reform and Work (Northern Ireland) Order 2016.”

(8) In Article 39 of the Social Security (Northern Ireland) Order 1998 (interpretation, etc. of Chapter 2 of Part 2), after paragraph (1) insert—

“(1A) In this Chapter—

- (a) a reference to a benefit includes a reference to a loan under Article 13 of the Welfare Reform and Work (Northern Ireland) Order 2016;
- (b) a reference to a claim for a benefit includes a reference to an application for a loan under Article 13 of the Welfare Reform and Work (Northern Ireland) Order 2016;
- (c) a reference to a claimant includes a reference to an applicant for a loan under Article 13 of the Welfare Reform and Work (Northern Ireland) Order 2016 or, in relation to a couple jointly applying for a loan under that Article, a reference to the couple or either member of the couple;
- (d) a reference to an award of a benefit to a person includes a reference to a decision that a person is eligible for a loan under Article 13 of the Welfare Reform and Work (Northern Ireland) Order 2016;
- (e) a reference to entitlement to a benefit includes a reference to eligibility for a loan under Article 13 of the Welfare Reform and Work (Northern Ireland) Order 2016.”

(9) In section 3A of the State Pension Credit Act (Northern Ireland) 2002 (housing credit), in subsection (5)(a), omit the words from “(and,” to “payments)”.

(10) In Article 16 of the 2015 Order (universal credit: amount in respect of housing costs), in paragraph (3)(a), omit the words from “(and,” to “payments)”.

(11) In Article 121 of the 2015 Order (information-sharing in relation to welfare services etc.), in paragraph (8), in the definition of “relevant social security benefit” for the words from “has” to the end substitute—

“means—

- (a) a relevant social security benefit as defined in section 115CA(7) of the Administration Act, or
- (b) a loan under Article 13 of the Welfare Reform and Work (Northern Ireland) Order 2016 (loans for mortgage interest, etc.);”.

(12) The following provisions are repealed—

- (a) in the Social Security (Mortgage Interest Payments) (Northern Ireland) Order 1992—
 - (i) Article 3;
 - (ii) Schedule 1;
- (b) in the Jobseekers Order, paragraph 23 of Schedule 2;
- (c) in the State Pension Credit Act (Northern Ireland) 2002, paragraph 9 of Schedule 2;
- (d) in the Civil Partnership Act 2004, paragraph 109 of Schedule 24;
- (e) in the 2007 Act, paragraph 4(5) of Schedule 3;
- (f) in the 2015 Order—
 - (i) in Schedule 2, paragraph 6;
 - (ii) in Schedule 4, paragraph 11.