



# Northern Ireland (Welfare Reform) Act 2015

CHAPTER 34

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Explanatory Notes have been produced to assist in the understanding of this Act and are available separately

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## CHAPTER 34

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# Northern Ireland (Welfare Reform) Act 2015

## 2015 CHAPTER 34

An Act to make provision in connection with social security and child support maintenance in Northern Ireland; to make provision in connection with arrangements under section 1 of the Employment and Training Act (Northern Ireland) 1950; and for connected purposes. [25th November 2015]

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 1 Power to make provision in connection with social security, child support maintenance and arrangements for employment in Northern Ireland**
- (1) Her Majesty may by Order in Council make provision in connection with—
    - (a) social security and child support maintenance in Northern Ireland, and
    - (b) arrangements under section 1 of the Employment and Training Act (Northern Ireland) 1950 (employment and training for employment).
  - (2) An Order in Council under subsection (1) may, in particular, confer power on the Secretary of State or a Northern Ireland department to make provision by order or regulations.
  - (3) An Order in Council under subsection (1) or an order or regulations under subsection (2) may in particular—
    - (a) amend, repeal, revoke or otherwise modify any enactment,
    - (b) apply any enactment with or without modification,
    - (c) provide for a person to exercise a discretion in dealing with any matter,
    - (d) create or amend a criminal offence or impose or amend a penalty,
    - (e) make different provision for different purposes or areas, and
    - (f) make incidental, supplementary, consequential, transitory or transitional provision or savings.

- (4) An Order in Council under subsection (1) that confers power to make an order or regulations may provide that –
  - (a) the power is exercisable either by statutory instrument or by statutory rule where the power is conferred on the Secretary of State, or
  - (b) the power is exercisable by statutory rule where the power is conferred on a Northern Ireland department.
- (5) No recommendation is to be made to Her Majesty to make an Order in Council under subsection (1) unless a draft of the statutory instrument containing the Order has been laid before, and approved by a resolution of, each House of Parliament.
- (6) In this section –
  - “enactment” means an enactment contained in, or in an instrument made under –
    - (a) an Act of Parliament, or
    - (b) Northern Ireland legislation;
  - “statutory rule” means statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)).

## **2 Section 1: supplementary provision**

- (1) References to Acts of the Northern Ireland Assembly in any enactment or instrument (whether passed or made before or after the coming into force of this Act) are to be read, so far as the context permits, as including references to Orders in Council under section 1(1).
- (2) Subsection (1) does not apply to references to Acts of the Northern Ireland Assembly in section 6 of the Northern Ireland Act 1998.
- (3) In subsection (1) –
  - “enactment” means an enactment contained in, or in an instrument made under –
    - (a) an Act of Parliament,
    - (b) an Act of the Scottish Parliament,
    - (c) a Measure or Act of the National Assembly for Wales, or
    - (d) Northern Ireland legislation, and
  - “instrument” includes a charter, contract or other document.
- (4) Orders in Council under section 1(1) may be omitted from any annual edition of statutory instruments required to be prepared under regulations made as a result of section 8 of the Statutory Instruments Act 1946.

## **3 Extent, commencement, sunset and short title**

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.
- (2) This Act comes into force on the day on which it is passed.
- (3) No Order in Council may be made under section 1(1) after 31 December 2016.
- (4) This Act may be cited as the Northern Ireland (Welfare Reform) Act 2015.