



Welfare Reform Act (Northern Ireland) 2007

CHAPTER 2

WELFARE REFORM ACT (NORTHERN IRELAND) 2007

PART 1

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- 1A Duration of contributory allowance
- 1B Further entitlement after time-limiting
- 1C Claimant commitment
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3. Deductions from contributory allowance: supplementary
4. Amount of income-related allowance
5. Advance award of income-related allowance
6. Amount payable where claimant entitled to both forms of allowance
7. Exclusion of payments below prescribed minimum

Assessments relating to entitlement

8. Limited capability for work
9. Limited capability for work-related activity

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10. Report

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- 11. Work-related requirements
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PART 2

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38. Social security information
39. Information relating to certain benefits
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41. Recovery of overpaid benefit

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42. Housing Executive powers to investigate benefit fraud
43. Housing Executive powers to prosecute benefit fraud
44. Housing Executive functions relating to benefit: information
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48. Care component of disability living allowance: persons under the age of 16
49. Mobility component of disability living allowance: persons under the age of 16

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Social fund

- 50. Matters to which regard must be had in awarding budgeting loans
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SCHEDULES

SCHEDULE 1 — EMPLOYMENT AND SUPPORT ALLOWANCE:
ADDITIONAL CONDITIONS

PART 1 — CONTRIBUTORY ALLOWANCE

PART 2 — INCOME-RELATED ALLOWANCE

- 6. (1) The conditions are that the claimant—

SCHEDULE 2 — EMPLOYMENT AND SUPPORT ALLOWANCE:
SUPPLEMENTARY PROVISIONS

Limited capability for work

- 1. Regulations may make provision— (a) for a person to be...

Waiting days

- 2. Except in prescribed circumstances, a person is not entitled to...

Periods of less than a week

3. Regulations may make provision in relation to—

Linking periods

4. (1) Regulations may provide for circumstances in which a period...

Exemption

- 4A Regulations may prescribe circumstances in which a person may be...

Presence in Northern Ireland

5. Regulations may make provision for the purposes of this Part...

Contributory allowance: entitlement in case of absence from Northern Ireland

6. Regulations may provide that in prescribed circumstances a claimant who...

Contributory allowance: modification in relation to employment on ships etc.

7. (1) Regulations may modify any provision of this Part, so...

Income-related allowance: entitlement in case of absence from Northern Ireland

8. (1) Regulations may provide that in prescribed circumstances a claimant...

Limited capability for work-related activity

9. Regulations may make provision— (a) for a person to be...

Effect of work

10. Regulations may prescribe circumstances in which a person is to...

10ZA

Good reason for failure to comply with certain regulations

- 10A (1) This paragraph applies to any regulations made under paragraph...

Responsibility for children

- 10B Regulations may for any purpose of this Part specify circumstances...

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Treatment of allowance as “benefit”

11. Regulations may provide for— (a) an employment and support allowance,...

Attribution of reductions in cases where allowance taken to consist of two elements

12. Where an employment and support allowance is taken by virtue...

Treatment of information supplied as information relating to social security

13. Information supplied in pursuance of regulations under any of sections...

Advance claims

14. This Part shall have effect with prescribed modifications in relation...

SCHEDULE 3 — CONSEQUENTIAL AMENDMENTS RELATING TO PART 1

The Education Reform (Northern Ireland) Order 1989 (NI 20)

1. In Article 131 of the Education Reform (Northern Ireland) Order...

The Child Support (Northern Ireland) Order 1991 (NI 23)

2. (1) The Child Support (Northern Ireland) Order 1991 is amended...

The Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)

3. (1) The Contributions and Benefits Act is amended as follows...

The Social Security Administration (Northern Ireland) Act 1992 (c. 8)

4. (1) The Administration Act is amended as follows.

The Children (Northern Ireland) Order 1995 (NI 2)

5. (1) The Children (Northern Ireland) Order 1995 is amended as...

The Jobseekers (Northern Ireland) Order 1995 (NI 15)

6. (1) The Jobseekers Order is amended as follows.

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The Road Traffic (Northern Ireland) Order 1995 (NI 18)

7. In Article 25 of the Road Traffic (Northern Ireland) Order...

The Pensions (Northern Ireland) Order 1995 (NI 22)

8. In Schedule 2 to the Pensions (Northern Ireland) Order 1995...

The Industrial Tribunals (Northern Ireland) Order 1996 (NI 18)

9. (1) The Industrial Tribunals (Northern Ireland) Order 1996 is amended...

The Social Security (Northern Ireland) Order 1998 (NI 10)

10. (1) The 1998 Order is amended as follows.

The Immigration and Asylum Act 1999 (c. 33)

11. In section 115 of the Immigration and Asylum Act 1999...

The Welfare Reform and Pensions (Northern Ireland) Order 1999 (NI 11)

12. In Article 69 of the Welfare Reform and Pensions (Northern...

The Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4)

13. (1) The 2000 Act is amended as follows.

The Social Security Fraud Act (Northern Ireland) 2001 (c. 17)

14. (1) The Social Security Fraud Act (Northern Ireland) 2001 is...

SCHEDULE 4 — TRANSITION RELATING TO PART 1

General power to provide for transition relating to Part 1

1. (1) Regulations may make such provision as the Department considers...

Pre-commencement claims

2. Regulations may— (a) make provision for a claim for incapacity...

Post-commencement claims

3. Regulations may— (a) make provision excluding the making of a...

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Award of employment and support allowance for pre-commencement period

4. Regulations may— (a) make provision for an employment and support...

Matching of awards of employment and support allowance

5. (1) For the purposes of this paragraph, an award of...
6. (1) For the purposes of this paragraph an award of...

Treatment of existing awards

7. (1) Regulations may— (a) make provision for converting existing awards...

Transitional allowances

8. Regulations may— (a) make provision for a person's continuing entitlement...
9. (1) Regulations may prescribe circumstances in which a person who...

Post-commencement up-rating of incapacity benefit and severe disablement allowance

10. Regulations may provide for section 132 of the Administration Act...

Interpretation

11. In this Schedule— “appointed day” means the day appointed for...

SCHEDULE 5 — MINOR AND CONSEQUENTIAL AMENDMENTS
RELATING TO PART 2

The Social Security Administration (Northern Ireland) Act 1992 (c. 8)

1. The Administration Act is amended as follows.
2. In section 128E (information about attainment of standards), in subsection...
3. (1) Section 128F (enforcement notices) is amended as follows.
4. (1) Section 128G (enforcement determinations) is amended as follows.
5. In section 167(1) (interpretation), in the definition of “prescribe” at...

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The Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4)

6. In Schedule 7 to the 2000 Act (housing benefit: revisions...

SCHEDULE 6 — SCHEDULE TO BE INSERTED IN THE PNEUMOCONIOSIS, ETC., (WORKERS' COMPENSATION) (NORTHERN IRELAND) ORDER 1979

SCHEDULE 7 — MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO PART 4

The Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)

1. (1) The Contributions and Benefits Act is amended as follows....

The Social Security Administration (Northern Ireland) Act 1992 (c. 8)

2. (1) The Administration Act is amended as follows.

The Deregulation and Contracting Out (Northern Ireland) Order 1996 (NI 11)

3. In Article 17 of the Deregulation and Contracting Out (Northern...

The Social Security (Northern Ireland) Order 1998 (NI 10)

4. In Article 38(7) of the 1998 Order (principles applicable on...

SCHEDULE 8 — REPEALS

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- Pt. 1 applied (with modifications) by 1992 c. 7, s. 123(6A)(6B) (as inserted) by [2010 c. 13 \(N.I.\) s. 5\(1\)\(b\)](#)
- Pt. 1 modified by [S.R. 2019/211 art. 2\(2\)\(f\)](#) (This amendment not applied to legislation.gov.uk. Affecting Order revoked (19.12.2020) without ever being in force by S.R. 2020/347, arts. 1(1), 2)
- s. 1(3)(e) repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- s. 1(3)(e) repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 1(6) words substituted by [2010 c. 13 \(N.I.\) Sch. 1 para. 26](#)
- s. 1C repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 5](#)
- s. 16A repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 5](#)
- s. 20(1) substituted by [2010 c. 13 \(N.I.\) s. 6](#)
- s. 20(1)(a) words substituted by [S.I. 2015/2006 \(N.I.\) Sch. 3 para. 21\(e\)](#) (This amendment not applied to legislation.gov.uk. The substitution of s. 20(1) by 2010 c. 13 (N.I.), s. 6 is still prospective and therefore the relevant words in s. 20(1)(a) cannot be substituted)
- s. 20(6) excluded by [S.R. 2008/280 reg. 82\(2\)](#)
- s. 24(1) words repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- s. 24(3A)(3B) repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 5](#)
- s. 26(3)(b) repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 5](#)
- s. 29-36 repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 38(2) repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 39(3)(a) repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- s. 42-44 repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 44(3) repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 9](#)
- s. 45 repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 11](#)
- s. 48-49 repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 8](#)
- s. 50 repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 7](#)
- s. 54(2) repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 8](#)
- s. 57(1) words repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- Sch. 1 para. 1(5)(e) and word repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- Sch. 1 para. 6(1)(d) words repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- Sch. 1 para. 1(4)(b) words substituted by [2010 c. 13 \(N.I.\) s. 12\(5\)\(c\)](#)
- Sch. 3 para. 2(3)-(6) repealed by [2008 c. 10 \(N.I.\) Sch. 5](#)
- Sch. 3 para. 3(9)(10) repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- Sch. 3 para. 6(3) repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 3](#)
- Sch. 3 para. 1 repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- Sch. 3 para. 2(2)(8) repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)

- Sch. 3 para. 3(9)(10) repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 1
- Sch. 3 para. 4(3) repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 1
- Sch. 3 para. 4(8)(b) repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 1
- Sch. 3 para. 4(10)(b) repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 1
- Sch. 3 para. 4(14)(16) repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 1
- Sch. 3 para. 4(28)(b)(c) repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 1
- Sch. 3 para. 4(28)(a) repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 8
- Sch. 3 para. 10(5)(b) repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 8
- Sch. 3 para. 4(6) repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 10
- Sch. 4 repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 1
- Sch. 5 para. 2-4 repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 1
- Sch. 5 para. 6 repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 1
- Sch. 7 para. 1(3) repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 7
- Sch. 7 para. 2(3)(4) repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 7
- Sch. 7 para. 4 repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 7
- Sch. 7 para. 1(2) repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 8

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(3)(za) inserted by S.I. 2015/2006 (N.I.) art. 67(2)
- s. 1(3B) inserted by S.I. 2015/2006 (N.I.) art. 67(3)
- s. 14(5) added by 2010 c. 13 (N.I.) s. 25(2)
- s. 14(5) amendment to earlier affecting provision 2010 c. 13 (N.I.), s. 25(2) by S.I. 2015/2006 (N.I.) art. 60(7)
- s. 14(5) words substituted by S.R. 2016/76 Sch. 6 para. 56(b)
- Sch. 1 para. 6(1)(da) inserted by 2010 c. 13 (N.I.) s. 5(2)(a)
- Sch. 1 para. 6(2A) inserted by 2010 c. 13 (N.I.) s. 5(2)(b)
- Sch. 2 para. 4B inserted by S.I. 2015/2006 (N.I.) art. 67(4)
- Sch. 3 para. 12(4)(5) repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 1