



## 2001 CHAPTER 17

### *Loss of benefit provisions*

#### **[<sup>F1</sup>Meaning of “disqualifying benefit” and “sanctionable benefit” for purposes of sections 5B and 6**

**5A** In this section and sections 5B and 6—

“disqualifying benefit” means (subject to any regulations under section 9(1))

—

- (zb) [<sup>F2</sup>state pension or a lump sum under Part 1 of the Pensions Act (Northern Ireland) 2015 or under Part 1 of the Pensions Act 2014;]
- (za) [<sup>F3</sup>any benefit under Part 2 of the Welfare Reform (Northern Ireland) Order 2015 or Part 1 of the Welfare Reform Act 2012 (universal credit);]
- (a) any benefit under the Jobseekers (Northern Ireland) Order 1995 (in this Act referred to as “the Jobseekers Order”) or the Jobseekers Act 1995;
- (b) any benefit under the State Pension Credit Act (Northern Ireland) 2002 or the State Pension Credit Act 2002;
- (c) any benefit under Part 1 of the Welfare Reform Act (Northern Ireland) 2007 or Part 1 of the Welfare Reform Act 2007 (employment and support allowance);
- (ca) [<sup>F4</sup>any benefit under Part 5 of the Welfare Reform (Northern Ireland) Order 2015 or Part 4 of the Welfare Reform Act 2012 (personal independence payment);]
- (cb) [<sup>F5</sup>bereavement support payment under section 29 of the Pensions Act (Northern Ireland) 2015 or under section 30 of the Pensions Act 2014;]
- (d) any benefit under the Contributions and Benefits Act or the Social Security Contributions and Benefits Act 1992 other than—

**Changes to legislation:** *Social Security Fraud Act (Northern Ireland) 2001, Section 5A is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (i) maternity allowance
  - (ii) statutory sick pay and statutory maternity pay;
  - (e) any war pension;
- “sanctionable benefit” means (subject to any regulations under section 9(1))—
- (za) [<sup>F6</sup>any benefit under Part 2 of the Welfare Reform (Northern Ireland) Order 2015 (universal credit);]
  - (a) any benefit under the Jobseekers Order other than joint-claim jobseeker's allowance;
  - (b) any benefit under the State Pension Credit Act (Northern Ireland) 2002;
  - (c) any benefit under Part 1 of the Welfare Reform Act (Northern Ireland) 2007; <sup>F7</sup> ...
  - (ca) [<sup>F8</sup>bereavement support payment under section 29 of the Pensions Act (Northern Ireland) 2015; or]
  - (d) any benefit under the Contributions and Benefits Act which is a disqualifying benefit other than—
    - (i) any retirement pension;
    - (ii) graduated retirement benefit;
    - (iii) disability living allowance;
    - (iv) attendance allowance;
    - (v) child benefit;
    - (vi) guardian's allowance;
    - (vii) a payment out of the social fund in accordance with Part 8 of the Contributions and Benefits Act;
    - (viii) a payment under Part 10 of that Act (Christmas bonuses).]

**F1** Ss. 5A-5C inserted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), **ss. 19, 36(1)(e)**

**F2** Words in s. 5A inserted (6.4.2016 unless brought into operation earlier by an order under s. 53(1) of the amending Act) by [Pensions Act \(Northern Ireland\) 2015 \(c. 5\)](#), s. 53(3), **Sch. 12 para. 36**

**F3** Words in s. 5A(1) inserted (2.5.2016) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), **Sch. 2 para. 46(a)**; S.R. 2016/215, art. 2(2)(c)(v)(ii)

**F4** Words in s. 5A inserted (2.5.2016) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), **Sch. 9 para. 44**; S.R. 2016/215, art. 2(5)(h)(vii)

**F5** Words in s. 5A inserted (6.4.2017) by [Pensions Act \(Northern Ireland\) 2015 \(c. 5\)](#), s. 53(1), **Sch. 16 para. 42**; S.R. 2017/44, art. 2(2) (with arts. 34)

**F6** Words in s. 5A(1) inserted (2.5.2016) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), **Sch. 2 para. 46(b)**; S.R. 2016/215, art. 2(2)(c)(v)(ii)

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- F7** Word in s. 5A omitted (6.4.2017) by virtue of Pensions Act (Northern Ireland) 2015 (c. 5), s. 53(1), **Sch. 16 para. 43(a)**; S.R. 2017/44, art. 2(2) (with arts. 34)
- F8** Words in s. 5A inserted (6.4.2017) by Pensions Act (Northern Ireland) 2015 (c. 5), s. 53(1), **Sch. 16 para. 43(b)**; S.R. 2017/44, art. 2(2) (with arts. 34)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 5A words repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)

**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. 5A(d)(iii) words repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 8](#)
- s. 5B(7)(d) inserted by [S.I. 2015/2006 \(N.I.\) Sch. 2 para. 47\(4\)](#)
- s. 6(4)(d) inserted by [S.I. 2015/2006 \(N.I.\) Sch. 2 para. 48\(4\)](#)
- s. 7(3)(aa) inserted by [S.I. 2015/2006 \(N.I.\) Sch. 2 para. 49\(2\)\(b\)](#)
- s. 7(4)(d) inserted by [S.I. 2015/2006 \(N.I.\) Sch. 2 para. 49\(3\)](#)
- s. 10(d) words inserted by [S.I. 2015/2006 \(N.I.\) Sch. 2 para. 52\(3\)](#)