

Status: This version of this provision is prospective.

Changes to legislation: *Welfare Reform Act (Northern Ireland) 2007, Section 42 is up to date with all changes known to be in force on or before 06 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*



2007 CHAPTER 2

PART 3

SOCIAL SECURITY ADMINISTRATION: GENERAL

Benefit fraud

PROSPECTIVE

Housing Executive powers to investigate benefit fraud

42.—(1) Section 104A of the Administration Act (authorisation of investigations by the Housing Executive) is amended as follows.

(2) In subsection (1) for “any one or more of the purposes mentioned in subsection (2) below” substitute “a relevant purpose”.

(3) After subsection (1) insert—

“(1A) Each of the following is a relevant purpose—

- (a) a purpose mentioned in subsection (2) below;
- (b) a purpose mentioned in section 103A(2)(a), (c) or (d) above.

(1B) If the Department prescribes conditions for the purposes of this section, the Housing Executive must not proceed under this section for a purpose mentioned in section 103A(2)(a), (c) or (d) above unless any such condition is satisfied.

(1C) An authorisation made for a purpose mentioned in section 103A(2)(a), (c) or (d) above—

- (a) is subject to such restrictions as may be prescribed;

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(b) is not valid in such circumstances as may be prescribed.”.

(4) In subsection (2) for “Those purposes” substitute “ The purposes in this subsection ”.

(5) In subsection (7) after paragraph (c) add— “ but paragraphs (a) and (b) above do not apply in any case where the relevant purpose is as mentioned in subsection (1A)(b) above. ”.

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Changes and effects yet to be applied to :

- s. 42-44 repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)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. 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](#)