



2001 CHAPTER 17

Loss of benefit provisions

Loss of benefit [F1 orders and] regulations

10.—(1) In [F2sections 5B to 9] “prescribed” means prescribed by or determined in accordance with regulations made by the Department.

(2) Regulations under any of the provisions of [F3sections 5B to 9] shall (except in the case of regulations to which subsection (3) applies) be subject to negative resolution.

(3) Regulations containing (whether alone or with other provisions)—

- (a) a provision by virtue of which anything is to be treated for the purposes of section [F45B or] 6 as a disqualifying benefit but not a sanctionable benefit,
- (b) a provision prescribing the manner in which the applicable amount is to be reduced for the purposes of section [F55B(6),] 6(3) or 8(3),
- (c) a provision the making of which is authorised by section [F6[F75B(5A), (7)] , (8), (9) or (10),][F86(2A), (4)][F9 , (4A)][F10 , (4B)] or (5), 7(4) or [F118(2A), (4)][F9 , (4A)][F10 , (4B)] or (5), or
- (d) a provision prescribing the manner in which the amount of joint-claim jobseeker's allowance is to be reduced for the purposes of section 7(3)(a), [F12or
- (e) a provision prescribing an offence under section 5B(14)(b),]

shall be laid before the Assembly after being made and shall take effect on such date as may be specified in the regulations, but shall (without prejudice to the validity of anything done thereunder or to the making of new regulations) cease to have effect upon the expiration of a period of six months from that date

Changes to legislation: *Social Security Fraud Act (Northern Ireland) 2001, Section 10 is up to date with all changes known to be in force on or before 20 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*

unless at some time before the expiration of that period the regulations have been approved by a resolution of the Assembly.

[^{F13}(3A) An order under section 5B(15) [^{F14}or 6(11)] shall be subject to the confirmatory procedure.

(3B) In this section “the confirmatory procedure” means the procedure described in subsection (3).]

(4) Article 74(3) to (6) of the Social Security (Northern Ireland) Order 1998 (NI 10) (regulations and orders) shall apply in relation to a power to make [^{F15}an order or] regulations that is conferred by any of the provisions of [^{F16}sections 5B to 9] as it applies in relation to the powers to make [^{F15}an order or] regulations that are conferred by that Order.

(5) The provision that may be made in exercise of the powers to make regulations that are conferred by [^{F17}sections 5B to 9] shall include different provision for different areas.

- F1** Words in s. 10 inserted (2.5.2016 for specified purposes, 9.9.2016 in so far as not already in operation) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), arts. 2(2), [117\(8\)\(a\)](#); S.R. 2016/215, art. 2(6)(d); S.R. 2016/325, art. 2(3)
- F2** Words in s. 10(1) substituted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), ss. 19(2)(a), 36(1)(e), [Sch. 3 para. 5\(2\)](#)
- F3** Words in s. 10(2) substituted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), ss. 19(2)(a), 36(1)(e), [Sch. 3 para. 5\(2\)](#)
- F4** Words in s. 10(3)(a) inserted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), ss. 19(2)(a), 36(1)(e), [Sch. 3 para. 5\(3\)\(a\)](#)
- F5** Words in s. 10(3)(b) inserted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), ss. 19(2)(a), 36(1)(e), [Sch. 3 para. 5\(3\)\(b\)](#)
- F6** Words in s. 10(3)(c) inserted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), ss. 19(2)(a), 36(1)(e), [Sch. 3 para. 5\(3\)\(c\)](#)
- F7** Words in s. 10(3)(c) substituted (2.5.2016) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), [Sch. 2 para. 52\(2\)\(a\)](#); S.R. 2016/215, art. 2(2)(c)(v)(ii)
- F8** Words in s. 10(3)(c) substituted (2.5.2016) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), [Sch. 2 para. 52\(2\)\(b\)](#); S.R. 2016/215, art. 2(2)(c)(v)(ii)
- F9** 2002 c. 14 (NI)
- F10** Word in s. 10(3)(c) inserted (27.10.2008) by [Welfare Reform Act \(Northern Ireland\) 2007 \(c. 2\)](#), ss. 28, 60, [Sch. 3 para. 14\(7\)](#); S.R. 2008/276, [art. 2\(2\)\(d\)](#), Sch. Pt. 2
- F11** Words in s. 10(3)(c) substituted (2.5.2016) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), [Sch. 2 para. 52\(2\)\(c\)](#); S.R. 2016/215, art. 2(2)(c)(v)(ii)
- F12** S. 10(3)(e) and preceding word inserted (2.5.2016 for specified purposes, 9.9.2016 in so far as not already in operation) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), arts. 2(2), [117\(8\)\(b\)](#); S.R. 2016/215, art. 2(6)(d); S.R. 2016/325, art. 2(3)
- F13** S. 10(3A)(3B) inserted (2.5.2016 for specified purposes, 9.9.2016 in so far as not already in operation) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), arts. 2(2), [117\(8\)\(c\)](#); S.R. 2016/215, art. 2(6)(d); S.R. 2016/325, art. 2(3)

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- F14** Words in s. 10(3A) inserted (2.5.2016 for specified purposes, 9.9.2016 in so far as not already in operation) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), arts. 2(2), **118(12)**; S.R. 2016/215, art. 2(6)(d); S.R. 2016/325, art. 2(3)
- F15** Words in s. 10(4) inserted (2.5.2016 for specified purposes, 9.9.2016 in so far as not already in operation) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), arts. 2(2), **117(8)(d)**; S.R. 2016/215, art. 2(6)(d); S.R. 2016/325, art. 2(3)
- F16** Words in s. 10(4) substituted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), ss. 19(2)(a), 36(1)(e), **Sch. 3 para. 5(4)**
- F17** Words in s. 10(5) substituted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\)](#), ss. 19(2)(a), 36(1)(e), **Sch. 3 para. 5(4)**

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Changes and effects yet to be applied to :

- s. 10(3) word repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 11](#)
- s. 10(3)(b) repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- s. 10(3)(b)(d) repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 10(3)(c) words substituted by [S.I. 2015/2006 \(N.I.\) Sch. 3 para. 16](#)

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\(3\)](#)