

**2008 No. 276 (C. 14)**

**SOCIAL SECURITY**

**The Welfare Reform (2007 Act) (Commencement No. 5) Order  
(Northern Ireland) 2008**

*Made* - - - -

*30th June 2008*

The Department for Social Development makes the following Order in exercise of the powers conferred by section 60(1) of the Welfare Reform Act (Northern Ireland) 2007<sup>(a)</sup>.

**Citation and interpretation**

**1.**—(1) This Order may be cited as the Welfare Reform (2007 Act) (Commencement No. 5) Order (Northern Ireland) 2008.

(2) In this Order any reference to a numbered Part, section or Schedule is to the Part or section of, or Schedule to, the Welfare Reform Act (Northern Ireland) 2007 bearing that number.

**Appointed days**

**2.**—(1) The day appointed for the coming into operation of sections 32 to 34 (housing benefit for persons taking up employment, supplemental and interpretation)—

- (a) for the purpose only of authorising the making of regulations, is 1st July 2008; and
- (b) for all other purposes, is 6th October 2008.

(2) The day appointed for the coming into operation of—

- (a) sections 25(1) and (2), 26(1) and 28(2) (regulations, Assembly control and power to make consequential amendments), paragraphs 4(1), (2) and (28) and 10(1), (3) and (6) of Schedule 3 (consequential amendments relating to Part 1) and paragraphs 1(1), 2 and 3(b) to (d) of Schedule 4 (transition relating to Part 1) and sections 28(1) and 29 in so far as relating to those paragraphs—
  - (i) for the purpose only of authorising the making of regulations, is 1st July 2008, and
  - (ii) for all other purposes, is 27th July 2008;
- (b) paragraph 10(2) of Schedule 3 and paragraphs 1(2) and 11 of Schedule 4 and sections 28(1) and 29 in so far as relating to those paragraphs, is 27th July 2008;
- (c) the provisions specified in Part 1 of the Schedule—
  - (i) for the purpose only of authorising the making of regulations, is 1st July 2008, and
  - (ii) for all other purposes, is 27th October 2008; and

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<sup>(a)</sup> 2007 c. 2 (N.I.)

(d) the provisions specified in Part 2 of the Schedule, is 27th October 2008.

Sealed with the Official Seal of the Department for Social Development on 30th June 2008

(L.S.)

*John O'Neill*

A senior officer of the Department for Social Development

## SCHEDULE

Article 2(2)(c) and (d)

### PART 1

PROVISIONS COMING INTO OPERATION ON 1st JULY 2008 FOR THE  
PURPOSE ONLY OF AUTHORISING THE MAKING OF REGULATIONS, AND  
ON 27th OCTOBER 2008 FOR ALL OTHER PURPOSES

<i>Provisions</i>	<i>Subject Matter</i>
Section 2(1)(a) and (c) and (4)(a) and (c)	Amount of contributory allowance
Section 3(1)(c) and (2)(b) and (d) and (3) (for the purposes of prescribing a payment under paragraph (b) of the definition of "pension payment")	Deductions from contributory allowance: supplementary
Section 4(2)(a), (3) and (6)(a) and (c)	Amount of income-related allowance
Section 5(2) and (3)	Advance award of income-related allowance
Section 8 (except subsection (4)(c))	Limited capability for work
Section 9 (except subsection (4)(c))	Limited capability for work-related activity
Section 11(1), (2)(a) to (g), (3) to (5), (6)(a) and (7)(c)	Work-focused health-related assessments
Section 12 (except subsection (2)(i))	Work-focused interviews
Section 14(1) and (2)(a) and (b)	Action plans in connection with work-focused interviews
Section 16(2)(a) and (4)	Contracting out
Section 17	Income and capital: general
Section 18(1), (2) and (4)	Disqualification
Section 20(2) to (7)	Relationship with statutory payments
Section 23(1) and (3)	Recovery of sums in respect of maintenance
Section 24(1) (for the purpose of defining "employment", "employed", "period of limited capability for work", "prescribed", "regulations" and "week") and (2)(b) and (3)	Interpretation, etc. of Part 1
Schedule 1, paragraphs 1(4), 3(2), 4(1)(a) and (c), (3) and (4) and 6(1)(b), (2) to (4), (5) (for the purposes of the meaning of "couple", "education" and "remunerative work"), (7) and (8) and section 1 in so far as it relates to those paragraphs	Employment and support allowance: additional conditions

<i>Provisions</i>	<i>Subject Matter</i>
Schedule 2, paragraphs 1 to 7, 8(1), 9, 10, 12 and 14 and section 22 in so far as it relates to those paragraphs	Employment and support allowance: supplementary provisions
Schedule 3, paragraphs 2(1) and (8), 3(1), (3)(b) and (4), 4(3) to (8) and (11), 6(1) and (2), 9, 10(7), 12, 13 and 14(1) to (5) and (8) and section 28(1) in so far as it relates to those paragraphs	Consequential amendments relating to Part 1

## PART 2

### PROVISIONS COMING INTO OPERATION ON 27th OCTOBER 2008

<i>Provisions</i>	<i>Subject Matter</i>
Part 1 (except sections 13, 15, 28(1) (in so far as it relates to paragraphs 2(3) to (7) and 3(5) and (12) of Schedule 3) and 29 (in so far as it relates to paragraphs 3(a) and 4 to 10 of Schedule 4)), in so far as not already in operation	Employment and support allowance
Schedules 1 and 2, in so far as not already in operation	Employment and support allowance: additional conditions and supplementary provisions
Schedule 3, paragraphs 1, 2(2), 3 (except subparagraphs (5) and (12)), 4 to 8, 10, 11 and 14, in so far as it is not already in operation	Consequential amendments relating to Part 1
Schedule 7 and section 56, in so far as not already in operation	Minor and consequential amendments relating to Part 4
The repeals in Schedule 8 relating to— sections 6A(3) and 123(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992;  section 71(4) of the Social Security Administration (Northern Ireland) Act 1992; paragraphs 3, 23(2), 36(2), 52(3), (4) and (5) of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995; Articles 4(2) and 28(3) of, paragraph 6(b) of Schedule 2 to, and paragraph 3 of Schedule 3 to, the Social Security (Northern Ireland) Order 1998; and Article 69(3) of the Welfare Reform and Pensions (Northern Ireland) Order 1999, and section 58 in so far as it relates to those repeals	Repeals

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order provides for the coming into operation of the following provisions of the Welfare Reform Act (Northern Ireland) 2007—

sections 32 to 34 (housing benefit for persons taking up employment), for the purpose only of authorising the making of regulations, on 1st July 2008 and for all other purposes on 6th October 2008; and

in relation to employment and support allowance—

sections 25(1) and (2), 26(1) and 28(2), paragraphs 4(1), (2) and (28) and 10(1), (3) and (6) of Schedule 3 (consequential amendments relating to Part 1) and paragraphs 1(1), 2 and 3(b) to (d) of Schedule 4 (transition relating to Part 1), and sections 28(1) and 29 in so far as relating to those paragraphs, for the purpose only of authorising the making of regulations, on 1st July 2008 and for all other purposes on 27th July 2008;

paragraph 10(2) of Schedule 3 and paragraphs 1(2) and 11 of Schedule 4 and sections 28(1) and 29 in so far as relating to those paragraphs, on 27th July 2008;

the provisions specified in Part 1 of the Schedule, for the purpose only of authorising the making of regulations, on 1st July 2008 and for all other purposes on 27th October 2008; and

the provisions specified in Part 2 of the Schedule, on 27th October 2008.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Welfare Reform Act (Northern Ireland) 2007 have been brought into operation by earlier commencement orders as from the dates shown.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Section 30 (partially)	10th March 2008 7th April 2008	2008 No. 93 (C. 3)
Section 36	1st April 2008	2008 No. 147 (C. 7)
Section 37 (partially)	1st April 2008	2008 No. 147 (C. 7)
Sections 38(1), 48 and 49	8th October 2007	2007 No. 429 (C. 27)
Section 45	1st April 2008	2008 No. 147 (C. 7)
Section 52 (partially)	19th July 2007 10th August 2007	2007 No. 335 (C. 23)
Section 54 (partially)	8th October 2007 29th October 2007	2007 No. 429 (C. 27)
Sections 56 and 58 (partially)	8th October 2007 7th April 2008	2007 No. 429 (C. 27) 2008 No. 93 (C. 3)
Schedule 5 (partially)	1st April 2008	2008 No. 147 (C. 7)
Schedule 6 (partially)	19th July 2007 10th August 2007	2007 No. 335 (C. 23)
Schedule 7 (partially)	8th October 2007	2007 No. 429 (C. 27)
Schedule 8 (partially)	8th October 2007 7th April 2008	2007 No. 429 (C. 27) 2008 No. 93 (C. 3)

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