STATUTORY RULES OF NORTHERN IRELAND

2011 No. 430 (C. 31)

SOCIAL SECURITY

The Welfare Reform (2010 Act) (Commencement No. 4) Order (Northern Ireland) 2011

Made	-	-	-	-	*14th December 2011*

The Department for Social Development makes the following Order in exercise of the powers conferred by section 36(2) and (3) of the Welfare Reform Act (Northern Ireland) 2010(**1**).

Citation

1. This Order may be cited as the Welfare Reform (2010 Act) (Commencement No. 4) Order (Northern Ireland) 2011.

Appointed day

2. 16th December 2011 is the day appointed for the coming into operation of the following provisions of the Welfare Reform Act (Northern Ireland) 2010—

(a) section 11(5) (conditions for contributory jobseeker's allowance) in so far as it inserts Article 4(3B)(a) and (3C)(**2**) only into the Jobseekers (Northern Ireland) Order 1995; and

(b) section 12(5)(a) and (b) (conditions for contributory employment and support allowance).

Sealed with the Official Seal of the Department for Social Development on 14th December 2011

(L.S.)

Anne McCleary
A senior officer of the Department for Social
Development

(**1**) 2010 c. 13 (N.I.)

(**2**) S.I. 1995/2705 (N.I. 15); Article 4(3B) and (3C) of the Jobseekers (Northern Ireland) Order 1995 is inserted by section 11(5) of the Welfare Reform Act (Northern Ireland) 2010

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation section 11(5) (conditions for contributory jobseeker's allowance) and section 12(5)(a) and (b) (conditions for contributory employment and support allowance) of the Welfare Reform Act (Northern Ireland) 2010. Those provisions are brought into operation on 16th December 2011, in accordance with Article 2.

Section 11(5) inserts new paragraphs (3B) and (3C) into Article 4 of the Jobseekers (Northern Ireland) Order 1995 (the "1995 Order"). Paragraph (3B) is a regulation-making power which principally provides for the first set of conditions for contribution-based jobseeker's allowance to be taken to be satisfied in the case of persons who have been entitled to any prescribed description of benefit during any prescribed period or at any prescribed time (sub-paragraph (a)(i)) or who satisfy other prescribed conditions (sub-paragraph (a)(ii)). The first set of conditions is the condition set out in Article 4(1)(a) and the additional conditions set out in Article 4(2) of the 1995 Order. Paragraph (3C) defines certain terms used in paragraph (3B).

Section 12(5) makes changes to the existing regulation-making power in paragraph 1(4) (employment and support allowance: conditions relating to national insurance) of Schedule 1 to the Welfare Reform Act (Northern Ireland) 2007 to make similar provision in that Act in relation to employment and support allowance to Article 4(3B) (a)(ii) and (b) of the 1995 Order.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Welfare Reform Act (Northern Ireland) 2010 have been brought into operation by commencement order made before the date of this Order:

Provision	Date of Commencement	S.R. No.
Section 10	23rd September 2010	S.R. 2010 No. 327 (C. 19)
Section 11(1) and (3)	1st October 2010	S.R. 2010 No. 341 (C. 21)
Section 11(2), (4) and (6)	1st November 2010	S.R. 2010 No. 341 (C. 21)
Section 12(1)	1st October 2010	S.R. 2010 No. 341 (C. 21)
Section 12(2) and (3)	1st November 2010	S.R. 2010 No. 341 (C. 21)

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Provision	*Date of Commencement*	*S.R. No.*
Section 12(4) (for the purpose of conferring power to make regulations)	1st October 2010	S.R. 2010 No. 341 (C. 21)
Section 12(4) (for all other purposes)	1st November 2010	S.R. 2010 No. 341 (C. 21)
Section 13 (for the purpose of conferring the power to make regulations)	23rd September 2010	S.R. 2010 No. 327 (C. 19)
Section 13 (partially)	15th October 2010	S.R. 2010 No. 327 (C. 19)
Section 13 (for all other purposes)	11th April 2011	S.R. 2010 No. 327 (C. 19)
Section 21	23rd September 2010	S.R. 2010 No. 327 (C. 19)
Section 26(1) (partially)	20th June 2011	S.R. 2011 No. 213 (C. 11)
Section 26(2) (partially)	20th June 2011	S.R. 2011 No. 213 (C. 11)
Section 34(1) (partially)	23rd September 2010	S.R. 2010 No. 327 (C. 19)
Part 3 of Schedule 4 (partially)	23rd September 2010	S.R. 2010 No. 327 (C. 19)