

Welfare Supplementary Payments (Amendment) Bill

[AS AMENDED AT CONSIDERATION STAGE]

LEGISLATIVE COMPETENCE

At Introduction the Minister for Communities had made the following statement under section 9 of the Northern Ireland Act 1998:

“In my view the Welfare Supplementary Payments (Amendment) Bill would be within the legislative competence of the Northern Ireland Assembly.”

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Change the end date for qualifying for payments under Article 137A of the Welfare Reform (Northern Ireland) Order 2015; and provide for monitoring of and reporting on arrangements for payments having effect by virtue of Article 137 and Article 137A of that Order.

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

Remove end date for qualifying for particular payments

1.—(1) The Welfare Reform (Northern Ireland) Order 2015 is amended as follows.

(2) In Article 137A (payments to persons affected by social sector size criteria in calculation of universal credit or housing benefit)—

- (a) in paragraph (2)(a), delete “a period which falls within the mitigation period” and insert “any time from the 2nd January 2017”,
- (b) in paragraph (3)(a), delete “a period which falls within the mitigation period” and insert “any time from the 2nd January 2017”,
- (c) in paragraph (4)(a) delete “and”
- (d) delete paragraph (4)(b).

Deemed effect of certain pre-existing provisions

2.—(1) Article 137A of the Welfare Reform (Northern Ireland) Order 2015 is to be regarded as having always had effect subject to the amendment made to it by this Act.

(2) Regulations under Article 137A of that Order made before the day on which this Act comes into operation are to be taken—

- (a) to have effect on and after that day, and
- (b) to have had effect at all times before that day,

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and such regulations are to be so taken as if that Article has always had effect subject to the amendment made to it by this Act.

(3) Despite this Act, no payments are to be made under Article 137A of that Order in respect of times—

- 5 (a) after 31st March 2020, but
- (b) prior to the day of the coming into operation of this Act.

(4) This Act is without prejudice to—

- (a) any statutory provisions (apart from this Act) giving power to make, amend or revoke regulations under Article 137A of that Order, and
- 10 (b) the effect prior to the day of the coming into operation of this Act of regulations made under that Article.

Monitoring and reporting as to statutory arrangements

3.—(1) The Department for Communities must—

- (a) monitor the operation of each of—
 - 15 (i) the arrangements for payments having effect by virtue of provision in and under Article 137 of the Welfare Reform (Northern Ireland) Order 2015, and
 - (ii) the arrangements for payments having effect by virtue of provision in and under Article 137A of that Order, and
- 20 (b) lay before the Assembly a report setting out the Department's assessment of the operation of each of the arrangements.

(2) For the purpose of the report, the Department's assessment is in each case to be of the operation of the arrangements since the day of the coming into operation of this Act.

25 (3) The report must include—

- (a) in the case of Article 137 of that Order, the Department's summary of its proposals (if any) for making, amending or revoking regulations under that Article, and
- 30 (b) in the case of Article 137A of that Order, the Department's summary of its proposals (if any) for making, amending or revoking regulations under that Article.

(4) The report must include such further information as the Department considers appropriate (and the report may refer to information which can be found in one or more reports laid before the Assembly in accordance with Article 137 or 35 137A of that Order).

(5) The report must be laid before the Assembly at some time during the period of 12 months ending on 31st March 2025.

Commencement and short title

4.—(1) This Act comes into operation on the day after receiving Royal Assent.

40 (2) This Act may be cited as the Welfare Supplementary Payments (Amendment) Act (Northern Ireland) 2021.

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A Bill to change the end date for qualifying for payments under Article 137A of the Welfare Reform (Northern Ireland) Order 2015; and provide for monitoring of and reporting on arrangements for payments having effect by virtue of Article 137 and Article 137A of that Order.

Introduced by: Ms Deirdre Hargey, Minister for Communities

On: 14 December 2021

As amended at
Consideration Stage: 8 February 2022

Bill Type: Executive Bill

ACCOMPANYING DOCUMENTS

**An Explanatory and Financial Memorandum is printed separately as
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