

Welfare Supplementary Payments (Amendment) Bill

[AS INTRODUCED]

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:

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), in paragraph (4)(b), for “31st March 2020” substitute “31st March 2025”.

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,

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—

(a) after 31st March 2020, but

(b) prior to the day of the coming into operation of this Act.

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(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

5 (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—

10 (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

15 (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.

(3) The report must include—

20 (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

(b) in the case of Article 137A of that Order, the Department's—

25 (i) conclusion as to whether that Article should be amended so as to change (to a later date) the date specified in that Article as the end of the mitigation period, and

(ii) summary of its proposals (if any) for making, amending or revoking regulations under that Article.

30 (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 137A of that Order).

35 (5) The report must be laid before the Assembly at some time during the period of 12 months ending on the date specified in Article 137A of that Order as the end of the mitigation period.

Commencement and short title

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

(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

Bill Type: Executive Bill

ACCOMPANYING DOCUMENTS

**An Explanatory and Financial Memorandum is printed separately as
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For more information please contact:

Northern Ireland Assembly
Parliament Buildings
Ballymiscaw
Stormont
Belfast BT4 3XX

Telephone: 028 90 521137
Textphone: 028 90 521209

E-mail: info@niassembly.gov.uk

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