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STATUTORY RULES OF NORTHERN IRELAND

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**2018 No. 66 (C. 6)**

**SOCIAL SECURITY**

**The Welfare Reform and Work (Northern Ireland)  
Order 2016 (Commencement No. 4) Order 2018**

*Made - - - - 27th March 2018*

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by Article 2(1) of the Welfare Reform and Work (Northern Ireland) Order 2016<sup>(1)</sup>.

Those powers are exercisable by the Secretary of State by virtue of Article 4(1)(a) of the Welfare Reform (Northern Ireland) Order 2015<sup>(2)</sup>.

**Citation**

1. This Order may be cited as the Welfare Reform and Work (Northern Ireland) Order 2016 (Commencement No. 4) Order 2018.

**Provisions in the Welfare Reform and Work (Northern Ireland) Order 2016 coming into force on 6th April 2018 and transitional provision**

2.—(1) Subject to paragraph (2), Article 15(1), (9), (10) and (12) of the Welfare Reform and Work (Northern Ireland) Order 2016 (consequential amendments) comes into force on 6th April 2018.

(2) The provisions of Article 15 of the Welfare Reform and Work (Northern Ireland) Order 2016 referred to in paragraph (1) are treated as though they are not in force in relation to an existing claimant on any day on which the amendments made by Schedule 5 to the Loans for Mortgage Interest Regulations (Northern Ireland) 2017<sup>(3)</sup> (consequential amendments) are treated as not having effect in relation to that claimant under regulation 19, 19A or 20 of those Regulations (transitional provisions).

(3) In this article, “existing claimant” has the same meaning as in regulation 2(1) of the Loans for Mortgage Interest Regulations (Northern Ireland) 2017.

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(1) [S.I. 2016/999 \(N.I. 1\)](#).

(2) [S.I. 2015/2006 \(N.I. 1\)](#). Article 4 of the Welfare Reform (Northern Ireland) Order 2015 was amended by Article 4 of the Welfare Reform and Work (Northern Ireland) Order 2016.

(3) [S.R. 2017/176](#). Regulations 19, 19A and 20 are substituted by [S.R. 2018/37](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed by authority of the Secretary of State for Work and Pensions

27th March 2018

*Kit Malthouse*  
Parliamentary Under-Secretary of State  
Department for Work and Pensions

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## EXPLANATORY NOTE

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

This Order brings into force provisions in the Welfare Reform and Work (Northern Ireland) Order 2016.

Article 2(1) brings Article 15(1), (9), (10) and (12) (which contain consequential amendments to primary legislation) into force on 6th April 2018, subject to the transitional provision in Article 2(2).

The consequential amendments:

- a) repeal section 13A of the Social Security Administration (Northern Ireland) Act 1992, which confers power to make regulations about payment out of benefit of sums in respect of mortgage interest to certain lenders;
- b) amend section 3A(5)(a) of the State Pension Credit Act (Northern Ireland) 2002, which deals with the housing credit element of state pension credit, to omit a reference to mortgage payments (section 3A is not yet in force);
- b) amend Article 16(3)(a) of the Welfare Reform (Northern Ireland) Order 2015, which deals with the housing costs element of universal credit, to omit a reference to mortgage payments;
- c) repeal various provisions that relate to payment out of benefit of sums in respect of mortgage interest.

The transitional provisions in Article 2(2) provide that, in relation to an “existing claimant”, Article 15(1), (9), (10) and (12) are treated as though they are not in force on any day on which the amendments made by Schedule 5 to the Loans for Mortgage Interest Regulations (Northern Ireland) 2017 (S.I. 2017/176) (which revoke provisions relating to owner-occupier payments as part of benefits) are treated as not having effect in relation to that claimant under regulation 19, 19A or 20 (transitional provisions) of those Regulations.

In the previous paragraph, “existing claimant” means a person who on 5th April 2018 is entitled to an income-related employment and support allowance, income support, an income-based jobseeker’s allowance, state pension credit or universal credit, where the benefit includes an amount for owner-occupier payments.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Article 5 (for remaining purposes)	7th November 2016	<a href="#">2016 No. 374</a>
Article 9(1) to (3)	3rd April 2017	<a href="#">2017 No. 46</a>
Article 9(4) to (6)	11th March 2017	<a href="#">2017 No. 46</a>
Article 10	11th March 2017	<a href="#">2017 No. 46</a>
Article 11	27th September 2017	<a href="#">2017 No. 166</a>
Article 12	27th September 2017	<a href="#">2017 No. 166</a>
Article 13	4th September 2017	<a href="#">2017 No. 166</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Article 14	4th September 2017	<a href="#">2017 No. 166</a>
Article 15(2) to (8) and (11)	4th September 2017	<a href="#">2017 No. 166</a>
Article 16	4th September 2017	<a href="#">2017 No. 166</a>