

2010 No. 341 (C. 21)

SOCIAL SECURITY

**The Welfare Reform (2010 Act) (Commencement No. 2) Order
(Northern Ireland) 2010**

Made - - - - *30th September 2010*

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(a).

Citation and interpretation

1.—(1) This Order may be cited as the Welfare Reform (2010 Act) (Commencement No. 2) Order (Northern Ireland) 2010.

(2) In this Order “the Act” means the Welfare Reform Act (Northern Ireland) 2010.

Appointed days

2.—(1) 1st October 2010 is the day appointed for the coming into operation of the following provisions of the Act—

- (a) section 11(1) and (3) (conditions for contributory jobseeker’s allowance);
- (b) section 12(1) (conditions for contributory employment and support allowance);
- (c) section 12(4) for the purpose only of conferring power to make regulations.

(2) 1st November 2010 is the day appointed for the coming into operation of the following provisions of the Act—

- (a) section 11(2), (4) and (6);
- (b) section 12(2) and (3);
- (c) section 12(4) (so far as that provision is not already in operation).

Sealed with the Official Seal of the Department for Social Development on 30th September 2010

(L.S.)

Anne McCleary
A senior officer of the Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation the following provisions of the Welfare Reform Act (Northern Ireland) 2010—

- a) section 11(1) to (4) and (6) (conditions for contributory jobseeker's allowance), and
- b) section 12(1) to (4) (conditions for contributory employment and support allowance).

Section 11 amends the Jobseekers (Northern Ireland) Order 1995 so that the first contribution condition for jobseeker's allowance is met by the claimant having paid, or being treated as having paid, at least 26 weeks of Class 1 contributions on relevant earnings at the base year's lower earnings limit in one of two tax years prior to the claim. Subsection (3) of that section provides for a regulation-making power which will be used to make provision for determining the claimant's relevant earnings.

Section 12 makes similar amendments to the Welfare Reform Act (Northern Ireland) 2007 in relation to the first contribution condition for employment and support allowance. Subsection (2) of that section further amends that Act so that the number of tax years in which a person can pay national insurance contributions and qualify for employment and support allowance is reduced from three years to two.

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 or will be brought into operation by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Section 10	23rd September 2010	S.R. 2010 No. 327 (C. 19)
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 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)

© Crown Copyright 2010

Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print the Acts of the Northern Ireland Assembly.

2010 No. 341 (C. 21)

SOCIAL SECURITY

The Welfare Reform (2010 Act) (Commencement No. 2) Order
(Northern Ireland) 2010