
STATUTORY INSTRUMENTS

2015 No. 2006

The Welfare Reform (Northern Ireland) Order 2015

PART 2

Universal credit

CHAPTER 1

Entitlement and awards

Introductory

Universal credit

- 6.—(1) A benefit known as universal credit is payable in accordance with this Part.
- (2) Universal credit may, subject as follows, be awarded to—
- (a) an individual who is not a member of a couple (a “single person”), or
 - (b) members of a couple jointly.
- (3) An award of universal credit is, subject as follows, calculated by reference to—
- (a) a standard allowance,
 - (b) an amount for responsibility for children or young persons,
 - (c) an amount for housing, and
 - (d) amounts for other particular needs or circumstances.

Commencement Information

- I1** [Art. 6](#) in operation at 27.9.2017 for specified purposes by [S.R. 2017/190](#), [art. 4\(3\)-\(6\)](#), [Sch. 1](#) (with [art. 5](#))

Claims

- 7.—(1) A claim may be made for universal credit by—
- (a) a single person, or
 - (b) members of a couple jointly.
- (2) Regulations may specify circumstances in which a member of a couple may make a claim as a single person.

Commencement Information

- I2** [Art. 7](#) in operation at 2.5.2016 for specified purposes by [S.R. 2016/215](#), [art. 2\(2\)\(a\)](#)

Status: Point in time view as at 27/09/2017.

Changes to legislation: The Welfare Reform (Northern Ireland) Order 2015, CHAPTER 1 is up to date with all changes known to be in force on or before 11 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

I3 Art. 7 in operation at 27.9.2017 for specified purposes by S.R. 2017/190, art. 4(3)-(6), Sch. 1 (with art. 5)

Entitlement

Entitlement

- 8.**—(1) A single claimant is entitled to universal credit if the claimant meets—
- (a) the basic conditions, and
 - (b) the financial conditions for a single claimant.
- (2) Joint claimants are jointly entitled to universal credit if—
- (a) each of them meets the basic conditions, and
 - (b) they meet the financial conditions for joint claimants.

Commencement Information

I4 Art. 8 in operation at 27.9.2017 for specified purposes by S.R. 2017/190, art. 4(3)-(6), Sch. 1 (with art. 5)

Basic conditions

- 9.**—(1) For the purposes of Article 8, a person meets the basic conditions who—
- (a) is at least 18 years old,
 - (b) has not reached the qualifying age for state pension credit,
 - (c) is in Northern Ireland,
 - (d) is not receiving education, and
 - (e) has accepted a claimant commitment.
- (2) Regulations may provide for exceptions to the requirement to meet any of the basic conditions (and, for joint claimants, may provide for an exception for one or both).
- (3) For the basic condition in paragraph (1)(a) regulations may specify a different minimum age for prescribed cases.
- (4) For the basic condition in paragraph (1)(b) the qualifying age for state pension credit is that referred to in section 1(6) of the State Pension Credit Act (Northern Ireland) 2002.
- (5) For the basic condition in paragraph (1)(c) regulations may—
- (a) specify circumstances in which a person is to be treated as being or not being in Northern Ireland;
 - (b) specify circumstances in which temporary absence from Northern Ireland is disregarded;
 - (c) modify the application of this Part in relation to a person not in Northern Ireland who is by virtue of sub-paragraph (b) entitled to universal credit.
- (6) For the basic condition in paragraph (1)(d) regulations may—
- (a) specify what “receiving education” means;
 - (b) specify circumstances in which a person is to be treated as receiving or not receiving education.

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(7) For the basic condition in paragraph (1)(e) regulations may specify circumstances in which a person is to be treated as having accepted or not accepted a claimant commitment.

Modifications etc. (not altering text)

- C1 [Art. 9\(1\)\(a\)](#) modified (coming into force in accordance with reg. 1 of the amending Rule) by [The Universal Credit Regulations \(NorthernIreland\) 2016 \(S.R. 2016/216\)](#), [regs. 1, 12\(1\)](#)
- C2 [Art. 9\(1\)\(a\)](#) modified (coming into force in accordance with reg. 1 of the amending Rule) by [The Universal Credit Regulations \(NorthernIreland\) 2016 \(S.R. 2016/216\)](#), [regs. 1, 8\(1\)](#)
- C3 [Art. 9\(1\)\(d\)](#) excluded (coming into force in accordance with reg. 1 of the amending Rule) by [The Universal Credit Regulations \(NorthernIreland\) 2016 \(S.R. 2016/216\)](#), [regs. 1, 14](#)
- C4 [Art. 9\(1\)\(e\)](#) modified (coming into force in accordance with reg. 1 of the amending Rule) by [The Universal Credit Regulations \(NorthernIreland\) 2016 \(S.R. 2016/216\)](#), [regs. 1, 15\(1\)](#)

Commencement Information

- I5 [Art. 9](#) in operation at 2.5.2016 for specified purposes by [S.R. 2016/215](#), [art. 2\(2\)\(a\)](#)
- I6 [Art. 9](#) in operation at 27.9.2017 for specified purposes by [S.R. 2017/190](#), [art. 4\(3\)-\(6\)](#), [Sch. 1](#) (with [art. 5](#))

Financial conditions

- 10.—(1) For the purposes of Article 8, the financial conditions for a single claimant are that—
- (a) the claimant's capital, or a prescribed part of it, is not greater than a prescribed amount, and
 - (b) the claimant's income is such that, if the claimant were entitled to universal credit, the amount payable would not be less than any prescribed minimum.
- (2) For those purposes, the financial conditions for joint claimants are that—
- (a) their combined capital, or a prescribed part of it, is not greater than a prescribed amount, and
 - (b) their combined income is such that, if they were entitled to universal credit, the amount payable would not be less than any prescribed minimum.

Commencement Information

- I7 [Art. 10](#) in operation at 2.5.2016 for specified purposes by [S.R. 2016/215](#), [art. 2\(2\)\(a\)](#)
- I8 [Art. 10](#) in operation at 27.9.2017 for specified purposes by [S.R. 2017/190](#), [art. 4\(3\)-\(6\)](#), [Sch. 1](#) (with [art. 5](#))

Restrictions on entitlement

- 11.—(1) Entitlement to universal credit does not arise—
- (a) in prescribed circumstances (even though the requirements in Article 8 are met);
 - (b) if the requirements in Article 8 are met for a period shorter than a prescribed period;
 - (c) for a prescribed period at the beginning of a period during which those requirements are met.
- (2) A period prescribed under paragraph (1)(b) or (c) may not exceed 7 days.
- (3) Regulations may provide for exceptions to paragraph (1)(b) or (c).

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Commencement Information

- I9** Art. 11 in operation at 2.5.2016 for specified purposes by S.R. 2016/215, art. 2(2)(a)
I10 Art. 11 in operation at 27.9.2017 for specified purposes by S.R. 2017/190, art. 4(3)-(6), Sch. 1 (with art. 5)

Awards

Basis of awards

12.—(1) Universal credit is payable in respect of each complete assessment period within a period of entitlement.

- (2) In this Part an “assessment period” is a period of a prescribed duration.
- (3) Regulations may make provision—
- about when an assessment period is to start;
 - for universal credit to be payable in respect of a period shorter than an assessment period;
 - about the amount payable in respect of a period shorter than an assessment period.
- (4) In paragraph (1) “period of entitlement” means a period during which entitlement to universal credit subsists.

Commencement Information

- I11** Art. 12 in operation at 2.5.2016 for specified purposes by S.R. 2016/215, art. 2(2)(a)
I12 Art. 12 in operation at 27.9.2017 for specified purposes by S.R. 2017/190, art. 4(3)-(6), Sch. 1 (with art. 5)

Calculation of awards

- 13.**—(1) The amount of an award of universal credit is to be the balance of—
- the maximum amount (see paragraph (2)), less
 - the amounts to be deducted (see paragraph (3)).
- (2) The maximum amount is the total of—
- any amount included under Article 14 (standard allowance),
 - any amount included under Article 15 (responsibility for children and young persons),
 - any amount included under Article 16 (housing costs), and
 - any amount included under Article 17 (other particular needs or circumstances).
- (3) The amounts to be deducted are—
- an amount in respect of earned income calculated in the prescribed manner (which may include multiplying some or all earned income by a prescribed percentage), and
 - an amount in respect of unearned income calculated in the prescribed manner (which may include multiplying some or all unearned income by a prescribed percentage).
- (4) In paragraph (3)(a) and (b) the references to income are—
- in the case of a single claimant, to income of the claimant, and
 - in the case of joint claimants, to combined income of the claimants.

Commencement Information

- I13** Art. 13 in operation at 2.5.2016 for specified purposes by S.R. 2016/215, **art. 2(2)(a)**
- I14** Art. 13 in operation at 27.9.2017 for specified purposes by S.R. 2017/190, **art. 4(3)-(6), Sch. 1** (with **art. 5**)

Elements of an award

Standard allowance

14.—(1) The calculation of an award of universal credit is to include an amount by way of an allowance for—

- (a) a single claimant, or
 - (b) joint claimants.
- (2) Regulations are to specify the amount to be included under paragraph (1).
- (3) Regulations may provide for exceptions to paragraph (1).

Commencement Information

- I15** Art. 14 in operation at 2.5.2016 for specified purposes by S.R. 2016/215, **art. 2(2)(a)**
- I16** Art. 14 in operation at 27.9.2017 for specified purposes by S.R. 2017/190, **art. 4(3)-(6), Sch. 1** (with **art. 5**)

Responsibility for children and young persons

15.—(1) The calculation of an award of universal credit is to include an amount for each child or qualifying young person for whom a claimant is responsible.

[^{F1}(1A) But the amount mentioned in paragraph (1) is to be available in respect of a maximum of two persons who are either children or qualifying young persons for whom a claimant is responsible.]

(2) Regulations may make provision for the inclusion of an additional amount [^{F2}for each] child or qualifying young person [^{F3}for whom a claimant is responsible who] is disabled.

(3) Regulations are to specify, or provide for the calculation of, amounts to be included under paragraph (1) or (2).

(4) Regulations may provide for exceptions to paragraph (1) [^{F4}or (1A)].

(5) In this Part, “qualifying young person” means a person of a prescribed description.

Textual Amendments

- F1** Art. 15(1A) inserted (11.3.2017) by The Welfare Reform and Work (Northern Ireland) Order 2016 (S.I. 2016/999), arts. 2(1), **10(2)**; S.R. 2017/46, art. 2(b)
- F2** Words in art. 15(2) substituted (11.3.2017) by The Welfare Reform and Work (Northern Ireland) Order 2016 (S.I. 2016/999), arts. 2(1), **10(3)(a)**; S.R. 2017/46, art. 2(b)
- F3** Words in art. 15(2) inserted (11.3.2017) by The Welfare Reform and Work (Northern Ireland) Order 2016 (S.I. 2016/999), arts. 2(1), **10(3)(b)**; S.R. 2017/46, art. 2(b)
- F4** Words in art. 15(4) inserted (11.3.2017) by The Welfare Reform and Work (Northern Ireland) Order 2016 (S.I. 2016/999), arts. 2(1), **10(4)**; S.R. 2017/46, art. 2(b)

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Commencement Information

- I17** Art. 15 in operation at 2.5.2016 for specified purposes by S.R. 2016/215, **art. 2(2)(a)**
- I18** Art. 15 in operation at 27.9.2017 for specified purposes by S.R. 2017/190, **art. 4(3)-(6), Sch. 1** (with **art. 5**)

Housing costs

16.—(1) The calculation of an award of universal credit is to include an amount in respect of any liability of a claimant to make payments in respect of the accommodation the claimant occupies as his or her home.

(2) For the purposes of paragraph (1)—

- (a) the accommodation must be in Northern Ireland;
- (b) the accommodation must be residential accommodation;
- (c) it is immaterial whether the accommodation consists of the whole or part of a building and whether or not it comprises separate and self-contained premises.

(3) Regulations may make provision as to—

- (a) what is meant by payments in respect of accommodation for the purposes of this Article (and, in particular, the extent to which such payments include mortgage payments);
- (b) circumstances in which a claimant is to be treated as liable or not liable to make such payments;
- (c) circumstances in which a claimant is to be treated as occupying or not occupying accommodation as his or her home (and, in particular, for temporary absences to be disregarded);
- (d) circumstances in which land used for the purposes of any accommodation is to be treated as included in the accommodation.

(4) Regulations are to provide for the determination or calculation of any amount to be included under this Article.

(5) Regulations may—

- (a) provide for exceptions to paragraph (1);
- (b) provide for inclusion of an amount under this Article in the calculation of an award of universal credit—
 - (i) to end at a prescribed time, or
 - (ii) not to start until a prescribed time.

Modifications etc. (not altering text)

- C5** Art. 16(1) excluded (coming into force in accordance with reg. 1 of the amending Rule) by [The Universal Credit Regulations \(NorthernIreland\) 2016 \(S.R. 2016/216\), reg. 1, Sch. 4 para. 4](#)
- C6** Art. 16(1) excluded (coming into force in accordance with reg. 1 of the amending Rule) by [The Universal Credit Regulations \(NorthernIreland\) 2016 \(S.R. 2016/216\), reg. 1, Sch. 5 para. 4\(1\)](#)

Commencement Information

- I19** Art. 16 in operation at 2.5.2016 for specified purposes by S.R. 2016/215, **art. 2(2)(a)**
- I20** Art. 16 in operation at 27.9.2017 for specified purposes by S.R. 2017/190, **art. 4(3)-(6), Sch. 1** (with **art. 5**)

Other particular needs or circumstances

17.—(1) The calculation of an award of universal credit is to include amounts in respect of such particular needs or circumstances of a claimant as may be prescribed.

(2) The needs or circumstances prescribed under paragraph (1) may include—

^{F5}(a)

(b) the fact that a claimant has limited capability for work and work-related activity;

(c) the fact that a claimant has regular and substantial caring responsibilities for a severely disabled person.

(3) Regulations are to specify, or provide for the determination or calculation of, any amount to be included under paragraph (1).

(4) Regulations may—

(a) provide for inclusion of an amount under this Article in the calculation of an award of universal credit—

(i) to end at a prescribed time, or

(ii) not to start until a prescribed time;

(b) provide for the manner in which a claimant's needs or circumstances are to be determined.

Textual Amendments

F5 Art. 17(2)(a) omitted (27.9.2017) by virtue of [The Welfare Reform and Work \(Northern Ireland\) Order 2016 \(S.I. 2016/999\)](#), arts. 2(1), **11**; [S.R. 2017/166](#), art. 3(a)

Commencement Information

I21 Art. 17 in operation at 2.5.2016 for specified purposes by [S.R. 2016/215](#), **art. 2(2)(a)**

I22 Art. 17 in operation at 27.9.2017 for specified purposes by [S.R. 2017/190](#), **art. 4(3)-(6)**, **Sch. 1** (with [art. 5](#))

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