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 19 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)

### 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**

- II 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)
- 12 Art. 6 in operation at 15.11.2017 and 13.12.2017 for specified purposes by S.R. 2017/216, art. 3 (with art. 6) (as amended (15.1.2018) by S.R. 2018/1, art. 7)
- Art. 6 in operation at 17.1.2018 and further specified dates for specified purposes by S.R. 2018/1, art.
  3 (with art. 6)
- Art. 6 in operation at 16.5.2018 and further specified dates for specified purposes by S.R. 2018/97, art. 3 (with art. 6)
- Art. 6 in force at 5.9.2018 and further specified dates for specified purposes by S.R. 2018/138, art. 3 (with art. 6)
- **I6** Art. 6 in force at 1.2.2019 for specified purposes by S.R. 2019/7, art. 2(1)-(3) (with art. 2(4)(11))

### **Claims**

7.—(1) A claim may be made for universal credit by—

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- (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**

- I7 Art. 7 in operation at 2.5.2016 for specified purposes by S.R. 2016/215, art. 2(2)(a)
- **18** 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)
- **19** Art. 7 in operation at 15.11.2017 and 13.12.2017 for specified purposes by S.R. 2017/216, **art. 3** (with art. 6) (as amended (15.1.2018) by S.R. 2018/1, art. 7)
- Art. 7 in operation at 17.1.2018 and further specified dates for specified purposes by S.R. 2018/1, art.3 (with art. 6)
- III Art. 7 in operation at 16.5.2018 and further specified dates for specified purposes by S.R. 2018/97, art. 3 (with art. 6)
- I12 Art. 7 in force at 5.9.2018 and further specified dates for specified purposes by S.R. 2018/138, art. 3 (with art. 6)
- 113 Art. 7 in force at 1.2.2019 for specified purposes by S.R. 2019/7, art. 2(1)-(3) (with art. 2(4)(11))

### 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**

- 114 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)
- I15 Art. 8 in operation at 15.11.2017 and 13.12.2017 for specified purposes by S.R. 2017/216, art. 3 (with art. 6) (as amended (15.1.2018) by S.R. 2018/1, art. 7)
- Art. 8 in operation at 17.1.2018 and further specified dates for specified purposes by S.R. 2018/1, art.3 (with art. 6)
- Art. 8 in operation at 16.5.2018 and further specified dates for specified purposes by S.R. 2018/97, art.3 (with art. 6)
- I18 Art. 8 in force at 5.9.2018 and further specified dates for specified purposes by S.R. 2018/138, art. 3 (with art. 6)
- I19 Art. 8 in force at 1.2.2019 for specified purposes by S.R. 2019/7, art. 2(1)-(3) (with art. 2(4)(11))

### **Basic conditions**

9.—(1) For the purposes of Article 8, a person meets the basic conditions who—

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- (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.
- (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)**

- 120 Art. 9 in operation at 2.5.2016 for specified purposes by S.R. 2016/215, art. 2(2)(a)
- 121 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)
- **I22** Art. 9 in operation at 15.11.2017 and 13.12.2017 for specified purposes by S.R. 2017/216, **art. 3** (with art. 6) (as amended (15.1.2018) by S.R. 2018/1, art. 7)
- 123 Art. 9 in operation at 17.1.2018 and further specified dates for specified purposes by S.R. 2018/1, art. 3 (with art. 6)
- I24 Art. 9 in operation at 16.5.2018 and further specified dates for specified purposes by S.R. 2018/97, art. 3 (with art. 6)
- Art. 9 in force at 5.9.2018 and further specified dates for specified purposes by S.R. 2018/138, art. 3 (with art. 6)

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126 Art. 9 in force at 1.2.2019 for specified purposes by S.R. 2019/7, art. 2(1)-(3) (with art. 2(4)(11))

### **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**

- 127 Art. 10 in operation at 2.5.2016 for specified purposes by S.R. 2016/215, art. 2(2)(a)
- 128 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)
- **I29** Art. 10 in operation at 15.11.2017 and 13.12.2017 for specified purposes by S.R. 2017/216, **art. 3** (with art. 6) (as amended (15.1.2018) by S.R. 2018/1, art. 7)
- I30 Art. 10 in operation at 17.1.2018 and further specified dates for specified purposes by S.R. 2018/1, art. 3 (with art. 6)
- I31 Art. 10 in operation at 16.5.2018 and further specified dates for specified purposes by S.R. 2018/97, art. 3 (with art. 6)
- I32 Art. 10 in force at 5.9.2018 and further specified dates for specified purposes by S.R. 2018/138, art. 3 (with art. 6)
- 133 Art. 10 in force at 1.2.2019 for specified purposes by S.R. 2019/7, art. 2(1)-(3) (with art. 2(4)(11))

### **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).

- I34 Art. 11 in operation at 2.5.2016 for specified purposes by S.R. 2016/215, art. 2(2)(a)
- 135 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)
- **136** Art. 11 in operation at 15.11.2017 and 13.12.2017 for specified purposes by S.R. 2017/216, **art. 3** (with art. 6) (as amended (15.1.2018) by S.R. 2018/1, art. 7)
- I37 Art. 11 in operation at 17.1.2018 and further specified dates for specified purposes by S.R. 2018/1, art. 3 (with art. 6)

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- **I38** Art. 11 in operation at 16.5.2018 and further specified dates for specified purposes by S.R. 2018/97, art. 3 (with art. 6)
- 139 Art. 11 in force at 5.9.2018 and further specified dates for specified purposes by S.R. 2018/138, art. 3 (with art. 6)
- **140** Art. 11 in force at 1.2.2019 for specified purposes by S.R. 2019/7, art. 2(1)-(3) (with art. 2(4)(11))

#### 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—
    - (a) about when an assessment period is to start;
    - (b) for universal credit to be payable in respect of a period shorter than an assessment period;
    - (c) 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**

- 141 Art. 12 in operation at 2.5.2016 for specified purposes by S.R. 2016/215, art. 2(2)(a)
- **I42** 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)
- 143 Art. 12 in operation at 15.11.2017 and 13.12.2017 for specified purposes by S.R. 2017/216, art. 3 (with art. 6) (as amended (15.1.2018) by S.R. 2018/1, art. 7)
- I44 Art. 12 in operation at 17.1.2018 and further specified dates for specified purposes by S.R. 2018/1, art. 3 (with art. 6)
- **I45** Art. 12 in operation at 16.5.2018 and further specified dates for specified purposes by S.R. 2018/97, art. 3 (with art. 6)
- 146 Art. 12 in force at 5.9.2018 and further specified dates for specified purposes by S.R. 2018/138, art. 3 (with art. 6)
- 147 Art. 12 in force at 1.2.2019 for specified purposes by S.R. 2019/7, art. 2(1)-(3) (with art. 2(4)(11))

### Calculation of awards

- 13.—(1) The amount of an award of universal credit is to be the balance of—
  - (a) the maximum amount (see paragraph (2)), less
  - (b) the amounts to be deducted (see paragraph (3)).
- (2) The maximum amount is the total of—
  - (a) any amount included under Article 14 (standard allowance),
  - (b) any amount included under Article 15 (responsibility for children and young persons),
  - (c) any amount included under Article 16 (housing costs), and
  - (d) any amount included under Article 17 (other particular needs or circumstances).
- (3) The amounts to be deducted are—

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- (a) 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
- (b) 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—
  - (a) in the case of a single claimant, to income of the claimant, and
  - (b) in the case of joint claimants, to combined income of the claimants.

#### **Commencement Information**

- 148 Art. 13 in operation at 2.5.2016 for specified purposes by S.R. 2016/215, art. 2(2)(a)
- 149 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)
- **150** Art. 13 in operation at 15.11.2017 and 13.12.2017 for specified purposes by S.R. 2017/216, **art. 3** (with art. 6) (as amended (15.1.2018) by S.R. 2018/1, art. 7)
- I51 Art. 13 in operation at 17.1.2018 and further specified dates for specified purposes by S.R. 2018/1, art. 3 (with art. 6)
- I52 Art. 13 in operation at 16.5.2018 and further specified dates for specified purposes by S.R. 2018/97, art. 3 (with art. 6)
- I53 Art. 13 in force at 5.9.2018 and further specified dates for specified purposes by S.R. 2018/138, art. 3 (with art. 6)
- **154** Art. 13 in force at 1.2.2019 for specified purposes by S.R. 2019/7, art. 2(1)-(3) (with art. 2(4)(11))

# 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).

- I55 Art. 14 in operation at 2.5.2016 for specified purposes by S.R. 2016/215, art. 2(2)(a)
- **156** 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)
- 157 Art. 14 in operation at 15.11.2017 and 13.12.2017 for specified purposes by S.R. 2017/216, art. 3 (with art. 6) (as amended (15.1.2018) by S.R. 2018/1, art. 7)
- I58 Art. 14 in operation at 17.1.2018 and further specified dates for specified purposes by S.R. 2018/1, art. 3 (with art. 6)
- **159** Art. 14 in operation at 16.5.2018 and further specified dates for specified purposes by S.R. 2018/97, art. 3 (with art. 6)
- **I60** Art. 14 in force at 5.9.2018 and further specified dates for specified purposes by S.R. 2018/138, **art. 3** (with art. 6)
- **I61** Art. 14 in force at 1.2.2019 for specified purposes by S.R. 2019/7, art. 2(1)-(3) (with art. 2(4)(11))

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### 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)

#### **Commencement Information**

- I62 Art. 15 in operation at 2.5.2016 for specified purposes by S.R. 2016/215, art. 2(2)(a)
- 163 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)
- 164 Art. 15 in operation at 15.11.2017 and 13.12.2017 for specified purposes by S.R. 2017/216, art. 3 (with art. 6) (as amended (15.1.2018) by S.R. 2018/1, art. 7)
- Art. 15 in operation at 17.1.2018 and further specified dates for specified purposes by S.R. 2018/1, art.3 (with art. 6)
- **I66** Art. 15 in operation at 16.5.2018 and further specified dates for specified purposes by S.R. 2018/97, art. 3 (with art. 6)
- I67 Art. 15 in force at 5.9.2018 and further specified dates for specified purposes by S.R. 2018/138, art. 3 (with art. 6)
- **168** Art. 15 in force at 1.2.2019 for specified purposes by S.R. 2019/7, art. 2(1)-(3) (with art. 2(4)(11))

# **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—

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- (a) what is meant by payments in respect of accommodation for the purposes of this Article<sup>F5</sup>...;
- (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.

#### **Textual Amendments**

F5 Words in art. 16(3)(a) omitted (6.4.2018) by virtue of The Welfare Reform and Work (Northern Ireland) Order 2016 (S.I. 2016/999), arts. 2(1), **15(10)**; S.R. 2018/66, art. 2(1) (with art. 2(2)(3))

# 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**

- I69 Art. 16 in operation at 2.5.2016 for specified purposes by S.R. 2016/215, art. 2(2)(a)
- 170 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)
- I71 Art. 16 in operation at 15.11.2017 and 13.12.2017 for specified purposes by S.R. 2017/216, art. 3 (with art. 6) (as amended (15.1.2018) by S.R. 2018/1, art. 7)
- Art. 16 in operation at 17.1.2018 and further specified dates for specified purposes by S.R. 2018/1, art. 3 (with art. 6)
- 173 Art. 16 in operation at 16.5.2018 and further specified dates for specified purposes by S.R. 2018/97, art. 3 (with art. 6)
- 174 Art. 16 in force at 5.9.2018 and further specified dates for specified purposes by S.R. 2018/138, art. 3 (with art. 6)
- 175 Art. 16 in force at 1.2.2019 for specified purposes by S.R. 2019/7, art. 2(1)-(3) (with art. 2(4)(11))

### 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—

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- <sup>F6</sup>(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**

**F6** 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)

- 176 Art. 17 in operation at 2.5.2016 for specified purposes by S.R. 2016/215, art. 2(2)(a)
- 177 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)
- 178 Art. 17 in operation at 15.11.2017 and 13.12.2017 for specified purposes by S.R. 2017/216, art. 3 (with art. 6) (as amended (15.1.2018) by S.R. 2018/1, art. 7)
- Art. 17 in operation at 17.1.2018 and further specified dates for specified purposes by S.R. 2018/1, art. 3 (with art. 6)
- **180** Art. 17 in operation at 16.5.2018 and further specified dates for specified purposes by S.R. 2018/97, art. 3 (with art. 6)
- **I81** Art. 17 in force at 5.9.2018 and further specified dates for specified purposes by S.R. 2018/138, art. 3 (with art. 6)
- 182 Art. 17 in force at 1.2.2019 for specified purposes by S.R. 2019/7, art. 2(1)-(3) (with art. 2(4)(11))

# **Status:**

Point in time view as at 01/02/2019.

# **Changes to legislation:**

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