
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 236

The Universal Credit (Consequential,
Supplementary, Incidental and Miscellaneous
Provisions) Regulations (Northern Ireland) 2016

PART 3

AMENDMENTS OF SECONDARY LEGISLATION

CHAPTER 1

SOCIAL SECURITY BENEFITS

Amendment of the Jobseeker's Allowance Regulations

28.—(1) The Jobseeker's Allowance Regulations (Northern Ireland) 1996⁽¹⁾ are amended in accordance with paragraphs (2) to (10).

(2) In regulation 1 (citation, commencement and interpretation)—

- (a) for the heading substitute “citation, commencement, interpretation and application”;
- (b) after paragraph (1) insert—

“(1A) These Regulations do not apply to a particular case on any day on which Article 39(1)(a) of the Welfare Reform (Northern Ireland) Order 2015 (abolition of income-based jobseeker's allowance) is in operation and applies in relation to that case.”; and

(c) in paragraph (2)—

(i) after the definition of “the Contributions Regulations” insert—

““contributory employment and support allowance” means an allowance under Part 1 of the Welfare Reform Act as amended by the provisions of Schedule 3, and Part 1 of Schedule 12, to the Welfare Reform (Northern Ireland) Order 2015 that remove references to an income-related allowance, and a contributory allowance under Part 1 of the Welfare Reform Act as that Part has effect apart from those provisions;”, and

(ii) after the definition of “training allowance” insert—

““universal credit” means universal credit under Part 2 of the Welfare Reform (Northern Ireland) Order 2015;”.

(3) At the end of regulation 76(2)(e) (persons of a prescribed description)⁽²⁾ insert—

“; or

(f) entitled to universal credit.”.

⁽¹⁾ S.R. 1996 No. 198

⁽²⁾ Regulation 76(2) was amended by paragraph 2 of Schedule 3 to S.R. 2005 No. 319, regulation 4(6)(b) of S.R. 2006 No. 128 and regulation 19(12) of S.R. 2008 No. 286

- (4) In regulation 96(2) (date on which income is treated as paid)(3)—
- (a) for “or employment and support allowance” substitute “, employment and support allowance or universal credit”; and
 - (b) for “the day of the benefit week” substitute “any day”.
- (5) In regulation 103(5B)(c) (calculation of income other than earnings)(4) after “Employment and Support Allowance Regulations” insert “or section 11J of the Welfare Reform Act as the case may be”.
- (6) In regulation 153(b) (modification in the calculation of income)(5) after “the Benefits Act” insert “, universal credit”.
- (7) In Schedule 1 (applicable amounts)(6)—
- (a) in paragraph 15 (severe disability premium)—
 - (i) in sub-paragraph (1)(c) after “Benefits Act” insert “or has an award of universal credit which includes the carer element”,
 - (ii) in sub-paragraph (2)(d) after “Benefits Act”, in both places it occurs, insert “or has an award of universal credit which includes the carer element”,
 - (iii) in sub-paragraph (5)(b)—
 - (aa) after “carer’s allowance” insert “or having an award of universal credit which includes the carer element”; and
 - (bb) after “be so entitled and in receipt” insert “of carer’s allowance or have such an award of universal credit”,
 - (iv) in sub-paragraph (7) after “carer’s allowance” insert “or universal credit which includes the carer element”,
 - (v) in sub-paragraph (9)—
 - (aa) after “carer’s allowance” insert “or as having an award of universal credit which includes the carer element”; and
 - (bb) after “that allowance” insert “or had such an award”, and
 - (vi) after sub-paragraph (9) insert—

“(10) For the purposes of this paragraph, a person has an award of universal credit which includes the carer element if the person has an award of universal credit which includes an amount which is the carer element under regulation 30 of the Universal Credit Regulations (Northern Ireland) 2016.”;
 - (b) in paragraph 20I (severe disability premium – joint claim couples)(7)—
 - (i) in sub-paragraph (1)(d) after “Benefits Act”, in both places it occurs, insert “or has an award of universal credit which includes the carer element”,
 - (ii) in sub-paragraph (4)(b)—
 - (aa) after “carer’s allowance” insert “or having an award of universal credit which includes the carer element”; and

(3) Regulation 96(2) was amended by regulation 19(14) of [S.R. 2008 No. 286](#)

(4) Paragraph (5B) was inserted by regulation 19(16) of [S.R. 2008 No. 286](#)

(5) Regulation 153(b) was amended by regulation 19(21) of [S.R. 2008 No. 286](#)

(6) Schedule 1 was amended by regulation 4(3)(a) of [S.R. 2000 No. 74](#), regulation 5(4)(a) of [S.R. 2002 No. 80](#), regulation 3 of [S.R. 2002 No. 323](#), regulation 3 of [S.R. 2007 No. 154](#), regulation 5 of [S.R. 2011 No. 291](#) and regulation 17(7) of [S.I. 2013/3021](#)

(7) Paragraph 20I was inserted by paragraph 53(4) of Schedule 2 to [S.R. 2000 No. 350](#) and amended by regulation 5(4)(b) of [S.R. 2002 No. 80](#), paragraph 1(n) of the Schedule to [S.R. 2002 No. 323](#), regulation 3(8)(j) of [S.R. 2007 No. 154](#), regulation 5(3)(b) of [S.R. 2011 No. 291](#), Article 17(7)(h) of [S.I. 2013/3021](#) and regulation 3(2)(e) of [S.R. 2014 No. 275](#)

- (bb) after “be so entitled and in receipt” insert “of carer’s allowance or have such an award of universal credit”;
- (iii) in sub-paragraph (6) after “carer’s allowance” insert “or universal credit which includes the carer element”;
- (iv) in sub-paragraph (7)—
 - (aa) after “carer’s allowance” insert “or as having an award of universal credit which includes the carer element”; and
 - (bb) after “that allowance” insert “or had such an award”; and
- (v) after sub-paragraph (7) insert—

“(8) For the purposes of this paragraph, a person has an award of universal credit which includes the carer element if the person has an award of universal credit which includes an amount which is the carer element under regulation 30 of the Universal Credit Regulations (Northern Ireland) 2016.”.
- (8) In Schedule 2 (housing costs)—
 - (a) in paragraph 1(3)—
 - (i) at the end of paragraph (d) for “, or” substitute “;”;
 - (ii) at the end of paragraph (e)(8) for “.” Substitute “; or”, and
 - (iii) after paragraph (e) insert—

“(f) who is entitled to an award of universal credit the calculation of which includes an amount under regulation 28(1) of the Universal Credit Regulations (Northern Ireland) 2016 in respect of the fact that he has limited capability for work or limited capability for work and work-related activity, or would include such an amount but for regulation 28(4) or 30(4) of those Regulations.”; and
 - (b) in paragraph 17—
 - (i) at the end of sub-paragraph (7)(h) omit “or”;
 - (ii) at the end of sub-paragraph (7)(i)(9) for “.” substitute “; or”,
 - (iii) after sub-paragraph (7)(i) insert—

“(j) if he is aged less than 25 and is entitled to an award of universal credit which is calculated on the basis that he does not have any earned income.”; and
 - (iv) after sub-paragraph (8) insert—

“(9) For the purposes of sub-paragraph (7)(j) “earned income” has the meaning given in regulation 51 of the Universal Credit Regulations (Northern Ireland) 2016.”.
- (9) In paragraph 8 of Schedule 6 (sums to be disregarded in the calculation of income other than earnings)(10)—
 - (a) at the end of sub-paragraph (c) omit “or”;
 - (b) at the end of sub-paragraph (d) insert “or”; and
 - (c) after sub-paragraph (d) insert—

“(e) universal credit.”.

(8) Head (e) was added by regulation 19(25) of [S.R. 2008 No. 286](#)

(9) Sub-paragraph(7)(i) was added by regulation 19(25)(f)(ii) of [S.R. 2008 No. 286](#) and amended by regulation 3(4) of [S.R. 2013 No. 67](#)

(10) Paragraph 8 was amended by regulation 3(6)(b) of [S.R. 2008 No. 498](#)

Changes to legislation: *There are currently no known outstanding effects for the The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations (Northern Ireland) 2016, Section 28. (See end of Document for details)*

(10) In paragraph 12(1)(b) of Schedule 7 (capital to be disregarded)(11) after “working tax credit” insert “, universal credit”.

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Commencement Information

II Reg. 28 comes into operation in accordance with **reg. 1(1)**

(11) Paragraph 12(1)(b) was amended by paragraph 24(a) of Schedule 2 to [S.R. 2003 No. 195](#), regulation 4(16)(a) of [S.R. 2008 No. 112](#), regulation 3(7)(a) of [S.R. 2008 No. 498](#), and regulation 4(11)(a) of [S.R. 2009 No. 92](#)

Changes to legislation:

There are currently no known outstanding effects for the The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations (Northern Ireland) 2016, Section 28.