

SCHEDULES

SCHEDULE 1

Article 36

Universal credit: supplementary regulation-making powers

Entitlement of joint claimants

1. Regulations may provide for circumstances in which joint claimants may be entitled to universal credit without each of them meeting all the basic conditions referred to in Article 9.

Commencement Information

I1 Sch. 1 para. 1 in operation at 2.5.2016 by S.R. 2016/215, art. 2(2)(c)(iv)

Linking periods

2. Regulations may provide for periods of entitlement to universal credit which are separated by no more than a prescribed number of days to be treated as a single period.

Commencement Information

I2 Sch. 1 para. 2 in operation at 2.5.2016 by S.R. 2016/215, art. 2(2)(c)(iv)

Couples

3.—(1) Regulations may provide—

- (a) for a claim made by members of a couple jointly to be treated as a claim made by one member of the couple as a single person (or as claims made by both members as single persons);
- (b) for claims made by members of a couple as single persons to be treated as a claim made jointly by the couple.

(2) Regulations may provide—

- (a) where an award is made to joint claimants who cease to be entitled to universal credit as such by ceasing to be a couple, for the making of an award (without a claim) to either or each one of them—
 - (i) as a single person, or
 - (ii) jointly with another person;
- (b) where an award is made to a single claimant who ceases to be entitled to universal credit as such by becoming a member of a couple, for the making of an award (without a claim) to the members of the couple jointly;
- (c) for the procedure to be followed, and information or evidence to be supplied, in relation to the making of an award under this paragraph.

*Status: Point in time view as at 30/03/2022. This version of this schedule contains provisions that are prospective.
Changes to legislation: The Welfare Reform (Northern Ireland) Order 2015, SCHEDULE 1 is up to date with all changes known to be in force on or before 26 June 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)*

Commencement Information

I3 Sch. 1 para. 3 in operation at 2.5.2016 by S.R. 2016/215, art. 2(2)(c)(iv)

Calculation of capital and income

4.—(1) Regulations may for any purpose of this Part provide for the calculation or estimation of—

- (a) a person's capital,
- (b) a person's earned and unearned income, and
- (c) a person's earned and unearned income in respect of an assessment period.

(2) Regulations under sub-paragraph (1)(c) may include provision for the calculation to be made by reference to an average over a period, which need not include the assessment period concerned.

(3) Regulations under sub-paragraph (1) may—

- (a) specify circumstances in which a person is to be treated as having or not having capital or earned or unearned income;
- (b) specify circumstances in which income is to be treated as capital or capital as earned income or unearned income;
- (c) specify circumstances in which unearned income is to be treated as earned, or earned income as unearned;
- (d) provide that a person's capital is to be treated as yielding income at a prescribed rate;
- (e) provide that the capital or income of one member of a couple is to be treated as that of the other member.

(4) Regulations under sub-paragraph (3)(a) may in particular provide that persons of a prescribed description are to be treated as having a prescribed minimum level of earned income.

(5) In the case of joint claimants the income and capital of the joint claimants includes (subject to sub-paragraph (6)) the separate income and capital of each of them.

(6) Regulations may specify circumstances in which capital and income of either of joint claimants is to be disregarded in calculating their joint capital and income.

Commencement Information

I4 Sch. 1 para. 4 in operation at 2.5.2016 by S.R. 2016/215, art. 2(2)(c)(iv)

Responsibility for children etc.

5.—(1) Regulations may for any purpose of this Part specify circumstances in which a person is or is not responsible for a child or qualifying young person.

(2) Regulations may for any purpose of this Part make provision about nominations of the responsible carer for a child (see Article 24(6)(b)(ii)).

Commencement Information

I5 Sch. 1 para. 5 in operation at 2.5.2016 by S.R. 2016/215, art. 2(2)(c)(iv)

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PROSPECTIVE

Vouchers

6.—(1) This paragraph applies in relation to an award of universal credit where the calculation of the amount of the award includes, by virtue of any provision of this Part, an amount in respect of particular costs which a claimant may incur.

(2) Regulations may provide for liability to pay all or part of the award to be discharged by means of provision of a voucher.

(3) But the amount paid by means of a voucher may not in any case exceed the total of the amounts referred to in sub-paragraph (1) which are included in the calculation of the amount of the award.

(4) For these purposes a voucher is a means other than cash by which a claimant may to any extent meet costs referred to in sub-paragraph (1) of a particular description.

(5) A voucher may for these purposes—

- (a) be limited as regards the person or persons who will accept it;
- (b) be valid only for a limited time.

Work-related requirements

7. Regulations may provide that a claimant who—

- (a) asserts a right to reside in the United Kingdom under the EU Treaties, and
- (b) would otherwise fall within Article 24, 25 or 26,

is to be treated as not falling within that Article.

Commencement Information

I6 Sch. 1 para. 7 in operation at 2.5.2016 by S.R. 2016/215, art. 2(2)(c)(iv)

PROSPECTIVE

Good reason

8. Regulations may for any purpose of this Part provide for—

- (a) circumstances in which a person is to be treated as having or not having a good reason for an act or omission;
- (b) matters which are or are not to be taken into account in determining whether a person has a good reason for an act or omission.

Status:

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Changes to legislation:

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