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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 226**

The Universal Credit (Transitional Provisions)  
Regulations (Northern Ireland) 2016

PART 2

CHAPTER 2

EFFECT OF TRANSITION TO UNIVERSAL CREDIT

**Escalation of sanctions: transition from old style ESA**

**32.**—(1) This regulation applies where an award of universal credit is made to a claimant who was at any time previously entitled to old style ESA.

(2) Where this regulation applies, for the purposes of determining the reduction period under regulation 101 of the Universal Credit Regulations (low-level sanction) in relation to a sanctionable failure by the claimant, other than a failure which is treated as sanctionable by virtue of regulation 31—

- (a) a reduction of universal credit in accordance with regulation 31; and
- (b) any reduction of old style ESA under the ESA Regulations 2008 which did not result in a reduction under regulation 31,

is, subject to paragraph (3), to be treated as arising from a sanctionable failure for which the reduction period which applies is the number of days which is equivalent to the length of the fixed period which applied under regulation 63 of the ESA Regulations 2008.

(3) In determining a reduction period under regulation 101 of the Universal Credit Regulations in accordance with paragraph (2), no account is to be taken of—

- (a) a reduction of universal credit in accordance with regulation 31 if, at any time after that reduction, the claimant was entitled to an existing benefit; and
- (b) a reduction of old style ESA under the ESA Regulations 2008 if, at any time after that reduction, the claimant was entitled to universal credit, new style ESA or new style JSA, and was subsequently entitled to an existing benefit.