
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 226

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

PART 2

CHAPTER 1

ENTITLEMENT TO OTHER BENEFITS

Termination of awards of certain existing benefits: new claimant partners

5.—(1) This regulation applies where—

- (a) a person (“A”) who was previously entitled to universal credit ceases to be so entitled on becoming a member of a couple;
- (b) the other member of the couple (“the new claimant partner”) was not entitled to universal credit immediately before formation of the couple;
- (c) the couple is treated, in accordance with regulation 8(8) of the Claims and Payments Regulations, as having made a claim for universal credit; and
- (d) the Department is satisfied that the claimants meet the basic conditions specified in Article 9(1)(a) to (d) of the Order (other than any of those conditions which they are not required to meet by virtue of regulations made under Article 9(2) of the Order).

(2) Subject to paragraphs (4) and (5), where this regulation applies, all awards of income support or housing benefit to which the new claimant partner would (were it not for the effect of these Regulations) have been entitled during the relevant period are to terminate, by virtue of this regulation—

- (a) on the day before the first date on which the joint claimants are entitled to universal credit in connection with the claim; or
- (b) if the joint claimants are not entitled to universal credit, on the day before the first date on which they would have been so entitled, if all of the basic and financial conditions applicable to them had been met; or
- (c) if the new claimant partner became entitled to an award after the date on which it would otherwise terminate under sub-paragraph (a) or (b) at the beginning of the first day of entitlement to that award.

(3) For the purposes of this regulation, “the relevant period” is the period starting with the first day of assessment period (in relation to A’s award of universal credit) during which A and the new claimant partner formed a couple and ending with the date of formation of the couple.

(4) Where the new claimant partner was entitled during the relevant period to income support, he or she was at that time a member of a couple and the award included an amount in respect of the new claimant partner and their partner at that time (“P”), the award of income support terminates, by virtue of this regulation, on the date on which the new claimant partner and P ceased to be a

couple for the purposes of the Income Support (General) Regulations (Northern Ireland) 1987⁽¹⁾, unless it terminates on that date in accordance with other legislative provision, or terminated on an earlier date.

(5) An award of housing benefit to which the new claimant partner is entitled does not terminate by virtue of this regulation where—

- (a) the award is in respect of specified accommodation; or
- (b) the new claimant partner leaves the accommodation in respect of which housing benefit was paid, in order to live with A⁽²⁾.

(6) Where an award terminates by virtue of this regulation, any legislative provision under which the award terminates on a later date does not apply.

(7) Where the new claimant partner was, immediately before forming a couple with A, treated by regulation 9 (ongoing awards of tax credits) as being entitled to a tax credit, the new claimant partner is to be treated, for the purposes of the Tax Credits Act 2002, as having made a claim for the tax credit in question for the current tax year.

(1) [S.R. 1987 No. 459](#).

(2) In which case, *see* regulation 77 of the 2006 Regulations as amended and regulation 57 of the 2006 (SPC) Regulations as amended.