
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

Treatment of overpayments

8.—(1) This regulation applies where—

- (a) an award of universal credit is made to a claimant who was previously entitled to an existing benefit other than a tax credit or a joint-claim jobseeker’s allowance; and
- (b) a payment of the existing benefit is made which includes payment (“the overpayment”) in respect of a period—
 - (i) during which the claimant is not entitled to that benefit (including non-entitlement which arises from termination of an award by virtue of an order made under Article 2(2) of the Order or regulation 5, 6 or 13), and
 - (ii) which falls within an assessment period for universal credit.

(2) Where this regulation applies, for the purposes of calculating the amount of an award of universal credit in respect of an assessment period—

- (a) regulation 66 of the Universal Credit Regulations (what is included in unearned income?) applies as if the overpayment which was made in respect of that assessment period were added to the descriptions of unearned income in paragraph (1)(b) of that regulation; and
- (b) regulation 73 of the Universal Credit Regulations (unearned income calculated monthly) does not apply to the overpayment.

(3) In so far as any overpayment is taken into account in calculating the amount of an award of universal credit in accordance with this regulation, that payment may not be recovered as an overpayment under—

- (a) the Social Security (Payments on Account, Overpayments and Recovery) Regulations (Northern Ireland) 1988⁽¹⁾;
- (b) regulations 96 to 104 of the Housing Benefit Regulations;
- (c) regulations 77 to 85 of the Housing Benefit (State Pension Credit) Regulations.

Commencement Information

II Reg. 8 in operation at 5.5.2016, see [reg. 1](#)

⁽¹⁾ S.R. 1988 No. 142.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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Changes and effects yet to be applied to :

- reg. 8(1)(a) words inserted by [S.R. 2017/116 reg. 12\(3\)](#)

Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Pt. 2 Ch. A1 inserted by [S.R. 2017/116 reg. 12\(2\)](#)
- Pt. 3 inserted by [S.R. 2017/79 reg. 3\(3\)](#)
- Pt. 4 added by [S.R. 2019/152 reg. 2\(8\)](#)
- Sch. 1 Sch. renumbered as Sch. 1 by [S.R. 2019/152 reg. 2\(9\)](#)
- Sch. 1 para. 2(b) omitted by [S.R. 2023/93 reg. 4\(6\)\(a\)](#)
- Sch. 1 para. 25(a) omitted by [S.R. 2023/93 reg. 4\(6\)\(b\)](#)
- Sch. 1 para. 26(b) omitted by [S.R. 2023/93 reg. 4\(6\)\(c\)](#)
- Sch. 1 para. 27(b) omitted by [S.R. 2023/93 reg. 4\(6\)\(d\)](#)
- Sch. 1 para. 16(c) substituted by [S.R. 2024/54 reg. 8\(4\)](#)
- Sch. 2 para. 8(1) Sch. 2 para. 8 renumbered as Sch.2 para. 8(1) by [S.R. 2023/93 reg. 4\(7\)\(b\)](#)
- Sch. 2 inserted by [S.R. 2019/152 reg. 2\(10\)](#)
- Sch. 2 para. 8(2) inserted by [S.R. 2023/93 reg. 4\(7\)\(b\)](#)
- Sch. 2 para. 9 inserted by [S.R. 2023/93 reg. 4\(7\)\(c\)](#)
- Sch. 2 para. 8(3) inserted by [S.I. 2023/1218 art. 52\(b\)](#)
- Sch. 2 substituted by [S.R. 2021/2 reg. 2](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/145 reg. 7\(1\)\(a\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/145 reg. 7\(1\)\(b\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/145 reg. 7\(1\)\(c\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/151 reg. 7\(1\)\(a\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/151 reg. 7\(1\)\(b\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/151 reg. 7\(1\)\(c\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/45 reg. 7\(1\)\(a\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/45 reg. 7\(1\)\(b\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/45 reg. 7\(1\)\(c\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2024/71 reg. 6\(1\)\(a\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2024/71 reg. 6\(1\)\(b\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2024/71 reg. 6\(1\)\(c\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2024/73 art. 33\(a\)\(i\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2024/73 art. 33\(a\)\(ii\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2024/73 art. 33\(a\)\(iii\)](#)
- Sch. 2 para. 8(2) words inserted by [S.I. 2023/1218 art. 52\(a\)](#)
- Sch. 2 para. 5(b)(i) words substituted by [S.R. 2023/93 reg. 4\(7\)\(a\)](#)
- Sch. 3 inserted by [S.R. 2024/5 reg. 2\(3\)](#)
- Sch. 3 para. 5 sum substituted by [S.R. 2024/73 art. 33\(b\)\(i\)](#)
- Sch. 3 para. 5 sum substituted by [S.R. 2024/73 art. 33\(b\)\(ii\)](#)
- Sch. 3 para. 5 sum substituted by [S.R. 2024/73 art. 33\(b\)\(iii\)](#)
- Sch. 3 para. 5 sum substituted by [S.R. 2024/73 art. 33\(b\)\(iv\)](#)
- Sch. 3 para. 5 sum substituted by [S.R. 2024/73 art. 33\(b\)\(v\)](#)
- reg. 2(3)(4) inserted by [S.R. 2019/152 reg. 2\(2\)\(b\)](#)
- reg. 2(4) words omitted by [S.R. 2022/194 Sch. para. 1\(2\)](#)

- reg. 2A revoked by S.R. 2022/194 reg. 2
- reg. 2B inserted by S.R. 2019/2 reg. 2(3)
- reg. 2B revoked by S.R. 2019/152 reg. 6
- reg. 2B(1) reg. 2B renumbered as reg. 2B(1) by S.R. 2019/152 reg. 2(3)
- reg. 2B(2) added by S.R. 2019/152 reg. 2(3)
- reg. 3(2)(a)(ab) substituted for reg. 3(2)(a) by S.R. 2019/152 reg. 3(2)
- reg. 3(2)(b)(iv)(c) and word added by S.R. 2020/119 reg. 6(3)(d)
- reg. 3(2)(ab) words substituted by S.R. 2022/194 Sch. para. 1(3)
- reg. 3A inserted by S.R. 2018/92 reg. 9(4)
- reg. 3A word omitted by S.R. 2018/187 reg. 4(2)
- reg. 4(8A) inserted by S.R. 2020/119 reg. 6(4)
- reg. 4A inserted by S.R. 2022/194 reg. 4
- reg. 4A(1) word substituted by S.R. 2024/54 reg. 8(2)(a)
- reg. 4A(6) omitted by S.R. 2024/54 reg. 8(2)(b)
- reg. 4A(7) omitted by S.R. 2024/54 reg. 8(2)(c)
- reg. 4A(8)(b) words omitted by S.R. 2024/54 reg. 8(2)(d)
- reg. 5(5)(c) and word added by S.R. 2020/119 reg. 6(5)(b)
- reg. 6(2A) inserted by S.R. 2018/92 reg. 9(6)(b)
- reg. 6(2A) words inserted by S.R. 2019/152 reg. 3(3)(b)
- reg. 6(2A) words omitted by S.R. 2019/152 reg. 3(3)(b)
- reg. 6(2B) inserted by S.R. 2022/194 reg. 5(3)(c)
- reg. 6A inserted by S.R. 2018/92 reg. 9(7)
- reg. 6A words inserted by S.R. 2019/152 reg. 2(5)(a)
- reg. 6A words substituted by S.R. 2022/194 Sch. para. 1(4)
- reg. 6A(a) word omitted by S.R. 2019/152 reg. 2(5)(c)
- reg. 6A(a) words inserted by S.R. 2019/152 reg. 2(5)(b)
- reg. 6A(a) words substituted by S.R. 2022/194 Sch. para. 1(4)
- reg. 6A(b) words inserted by S.R. 2019/152 reg. 2(5)(b)
- reg. 6A(b) words substituted by S.R. 2022/194 Sch. para. 1(4)
- reg. 6A(c) and word inserted by S.R. 2019/152 reg. 2(5)(d)
- reg. 6B inserted by S.R. 2019/152 reg. 3(4)
- reg. 6B words substituted by S.R. 2022/194 Sch. para. 1(5)
- reg. 8A inserted by S.R. 2018/187 reg. 4(3)
- reg. 8A(1) words inserted by S.R. 2019/195 reg. 9(2)(a)(i)
- reg. 8A(1)(d) words inserted by S.R. 2019/195 reg. 9(2)(a)(ii)
- reg. 8A(3) added by S.R. 2019/195 reg. 9(2)(b)
- reg. 8B inserted by S.R. 2019/195 reg. 9(3)
- reg. 8C inserted by S.R. 2020/108 reg. 9
- reg. 9(2)(ca) inserted by S.R. 2018/92 reg. 9(8)(a)(ii)
- reg. 19(2)(c) and words substituted for words in reg. 19(2)(b) by S.R. 2021/303 reg. 3(a)
- reg. 19(4)(c) and words substituted for words in reg. 19(4)(b) by S.R. 2021/303 reg. 3(b)(ii)
- reg. 19(10) added by S.R. 2017/146 reg. 3(2)(h)
- reg. 33(4)-(8) added by S.R. 2017/116 reg. 12(6)(c)
- reg. 40 omitted by S.R. 2019/3 reg. 3(2)
- reg. 41 omitted by S.R. 2019/3 reg. 3(3)
- reg. 45(3A) inserted by S.R. 2024/119 reg. 2(3)(a)
- reg. 45(5)(a) word inserted by S.R. 2022/194 Sch. para. 1(7)(a)
- reg. 45(5)(b) omitted by S.R. 2022/194 Sch. para. 1(7)(b)
- reg. 45(5A) inserted by S.R. 2024/119 reg. 2(3)(b)
- reg. 45(7) revoked by S.R. 2022/194 reg. 6
- reg. 47(1)(a) words inserted by S.R. 2019/152 reg. 3(5)(a)
- reg. 47(1)(a) words inserted by S.R. 2022/194 reg. 7
- reg. 47(1)(b) words inserted by S.R. 2023/93 reg. 4(4)
- reg. 47(1)(b) words substituted by S.R. 2019/152 reg. 3(5)(b)
- reg. 47(5) omitted by S.R. 2022/194 Sch. para. 1(8)
- reg. 48 revoked by S.R. 2022/194 reg. 8(1)

- reg. 48(2)(a) words inserted by S.R. 2019/152 reg. 3(6)(a)
- reg. 48(2)(b) words substituted by S.R. 2019/152 reg. 3(6)(b)
- reg. 51(2) words substituted by S.R. 2022/194 reg. 8(2)
- reg. 54(7) words inserted by S.R. 2022/194 reg. 9(2)
- reg. 54(10) words substituted by S.R. 2023/93 reg. 4(5)
- reg. 54(11)(a) words inserted by S.R. 2022/194 reg. 9(2)(a)
- reg. 56(4) words inserted by S.R. 2022/194 reg. 10(2)
- reg. 56(5)(6) inserted by S.R. 2022/194 reg. 10(3)
- reg. 57(1) words inserted by S.R. 2024/119 reg. 2(4)(a)
- reg. 57(2) words inserted by S.R. 2024/119 reg. 2(4)(b)
- reg. 57(3) substituted by S.R. 2023/3 reg. 3
- reg. 57(3A) inserted by S.R. 2024/119 reg. 2(4)(c)
- reg. 59 words omitted by S.R. 2022/194 Sch. para. 1(9)
- reg. 60 revoked by S.R. 2019/152 reg. 5(2)
- reg. 61(1) reg. 61 renumbered as reg. 61(1) by S.R. 2022/194 reg. 11
- reg. 61(2) inserted by S.R. 2022/194 reg. 11
- reg. 61A-61C inserted by S.R. 2024/119 reg. 2(5)
- reg. 64 words substituted by S.R. 2024/5 reg. 2(2)
- reg. 65 revoked by S.R. 2022/194 reg. 12