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STATUTORY RULES OF NORTHERN IRELAND

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**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 State Pension Credit Regulations**

**31.**—(1) The State Pension Credit Regulations (Northern Ireland) 2003<sup>(1)</sup> are amended in accordance with paragraphs (2) to (9).

(2) In regulation 1(2) (interpretation)—

(a) after the definition of “the Computation of Earnings Regulations”<sup>(2)</sup> insert—

““contribution-based jobseeker’s allowance” means an allowance under the Jobseekers (Northern Ireland) Order 1995 as amended by the provisions of Part 1 of Schedule 12 to the Welfare Reform (Northern Ireland) Order 2015 that remove references to an income-based allowance, and a contribution-based allowance under the Jobseekers (Northern Ireland) Order 1995 as that Order has effect apart from those provisions;”;

(b) for the definition of “contributory employment and support allowance”<sup>(3)</sup> substitute—

““contributory employment and support allowance” means an allowance under Part 1 of the Welfare Reform (Northern Ireland) Order 2015 as amended by the provisions of Schedule 3, and Part 1 of Schedule 12, to the 2015 Order 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;”;

(c) after the definition of “the Housing Benefit (State Pension Credit) Regulations”<sup>(4)</sup> insert—

““income-based jobseeker’s allowance” means an income-based allowance under the Jobseekers (Northern Ireland) Order 1995;” and

(d) after the definition of “the Skipton Fund”<sup>(5)</sup> insert—

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(1) [S.R. 2003 No.28](#)

(2) The definition of “the Computation of Earnings Regulations” was inserted by regulation 4 of [S.I. 2003/2175](#)

(3) The definition of “contributory employment and support allowance” was inserted by regulation 30(2)(b) of [S.R. 2008 No. 286](#)

(4) The definition of “the Housing Benefit (State Pension Credit) Regulations” was inserted by regulation 5 and paragraph 11(2) of Schedule 2 of [S.R. 2006 No. 407](#)

(5) The definition of “the Skipton Fund” was inserted by regulation 2(b)(ii) of [S.R. 2004 No. 213](#)

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

(3) In regulation 6(5)(b) (amount of the guarantee credit)(6) after “(carers allowance)” insert “, or has an award of universal credit which includes the carer element under regulation 30 of the Universal Credit Regulations (Northern Ireland) 2016;”.

(4) In regulation 9(c) (qualifying income for the purposes of savings credit) omit “within the meaning of Article 3(4) of the Jobseekers (Northern Ireland) Order 1995”.

(5) In regulation 13A(1)(a) (part-weeks)(7) before “income support” insert “universal credit;”.

(6) In regulation 13B(1)(d) (date on which benefits are treated as paid)(8) omit “within the meaning of Article 3(4) of the Jobseekers (Northern Ireland) Order 1995”.

(7) In paragraph 1 of Part 1 of Schedule 1 (circumstances in which persons are treated as being or not being severely disabled)(9)—

(a) in sub-paragraph (1)(a)(iii) after the words “(carer’s allowance)” insert “, or has an award of universal credit which includes the carer element;”;

(b) in the closing words of sub-paragraph (1)(b)—

(i) after the words “under section 70 of the Contributions and Benefits Act” insert “, or has an award of universal credit which includes the carer element;”, and

(ii) after the words “such an allowance” insert “under section 70, or has an award of universal credit which includes the carer element;”;

(c) in sub-paragraph (1)(c)(iv) after the words “Contributions and Benefits Act” insert “, or has an award of universal credit which includes the carer element;”;

(d) in sub-paragraph (2)(c) after the words “Contributions and Benefits Act” insert “, or as having an award of universal credit which includes the carer element;”;

(e) after sub-paragraph (3) insert—

“(4) 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) at the end of paragraph 1(2)(b)(iv)(10) insert—

“or

(v) 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;”;

(b) in paragraph 14 (persons residing with the claimant)—

(i) at the end of sub-paragraph (7)(f) omit “or”

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(6) Regulation 6(5)(b) was amended by Article 24(2) of [S.R. 2015 No. 124](#)

(7) Regulation 13A was inserted by regulation 23 of [S.R. 2003 No. 191](#) and amended by regulation 30 of [S.R. 2008 No. 286](#) and regulation 3 of [S.R. 2009 No. 409](#)

(8) Regulation 13B was inserted by regulation 23 of [S.R. 2003 No. 191](#) and amended by regulation 30 of [S.R. 2008 No. 286](#) and regulation 3 of [S.R. 2009 No. 409](#)

(9) Relevant amending regulations are regulation 4 of [S.R. 2007 No. 154](#), regulation 23(4) of [S.I. 2013/3021](#) and regulation 4(2) (a)(ii) of [S.R. 2014 No. 275](#)

(10) Paragraph 1(2)(b) was amended by regulation 7(4)(a) of [S.R. 2005 No.580](#), regulation 5(4) of [S.R. 2006 No.128](#), and regulation 30(8) of [S.R. 2008 No. 286](#)

- (ii) at the end of sub-paragraph (7)(g)(11) for “.” substitute “; or”
- (iii) after sub-paragraph (7)(g) insert—
  - “(h) 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)(h), “earned income” has the meaning given in regulation 51 of the Universal Credit Regulations (Northern Ireland) 2016.”.
- (9) In Part 1 of Schedule 5 (capital disregarded for the purpose of calculating income)—
  - (a) in paragraph 20(2)(12), after paragraph (o)(13) insert—
    - “(p) universal credit.”; and
  - (b) in paragraph 20A(2)(14)—
    - (i) at the end of paragraph (c) omit “or”, and
    - (ii) at the end of paragraph (d) insert—
      - “or
      - (e) paragraph 18 of Schedule 10 to the Universal Credit Regulations (Northern Ireland) 2016.”.

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**Commencement Information**

- II** Reg. 31 comes into operation in accordance with [reg. 1\(1\)](#)

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- (11) Paragraph 14(7) was amended by regulation 23(7)(c) of [S.R. 2003 No. 191](#), regulation 7(2) of [S.R. 2003 No. 261](#), regulation 6(5)(b)(ii) of [S.R. 2004 No. 394](#), regulation 7(4)(b) of [S.R. 2005 No. 580](#), regulation 14(5)(b) of [S.R. 2006 No. 359](#), regulation 5 and paragraph 11(4)(c) of Schedule 2 to [S.R. 2006 No. 407](#), regulation 30(8)(e) of [S.R. 2008 No. 286](#), regulation 5(3)(c) of [S.R. 2008 No. 428](#) and regulation 5 of [S.R. 2013 No. 67](#)
  - (12) Paragraph 20(2) was amended by regulation 2 of [S.R. 2003 No. 421](#), regulation 30(9) of [S.R. 2008 No. 286](#), regulation 4(5)(c) of [S.R. 2008 No. 498](#)
  - (13) Head (o) was added by regulation 30(9)(a) of [S.R. 2008 No. 286](#)
  - (14) Paragraph 20A was inserted by regulation 23(9)(b) of [S.R. 2003 No. 191](#), substituted by regulation 2(11)(f) of [S.R. 2003 No. 421](#), amended by regulation 5 of and paragraph 11(6) of Schedule 2 to [S.R. 2006 No. 407](#) and regulation 30(9)(b) of [S.R. 2008 No. 286](#)

**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 31.