

2017 No. 218

SOCIAL SECURITY

**The Social Security (Miscellaneous Amendments No. 2)
Regulations (Northern Ireland) 2017**

Made - - - - *24th October 2017*

*Coming into operation in accordance with regulation 1(1)
and (2)*

The Department for Communities makes the following Regulations in exercise of the powers conferred by sections 22(5ZA), 48B(5)(a), 64(1), 70(4), 71(6), 122(1)(a) and (d), 132(3) and (4), 132A(3) and 171(1) and (3) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a), sections 1(1), 5(1A) and 165(1), (4) and (5) of the Social Security Administration (Northern Ireland) Act 1992(b), Article 14(1) and (4) of the Jobseekers (Northern Ireland) Order 1995(c), Articles 10(1)(a) and 74(1) and (5) of the Social Security (Northern Ireland) Order 1998(d), and now vested in it(e), section 15(3) and (6) of the State Pension Credit Act (Northern Ireland) 2002(f), section 17(1) and (3) of the Welfare Reform Act (Northern Ireland) 2007(g) and Articles 82(3) and 97 of the Welfare Reform (Northern Ireland) Order 2015(h).

Regulations 11 and 12 are made with the consent of the Department of Finance(i).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Miscellaneous Amendments No. 2) Regulations (Northern Ireland) 2017 and, subject to paragraph (2), shall come into operation on 16th November 2017.

-
- (a) 1992 c. 7; section 22(5ZA) was inserted by paragraph 6(3) of Schedule 12 to the Pensions Act (Northern Ireland) 2015 (c. 5 (N.I.)), sections 48A, 48B and 48C were substituted for section 49 and 50 by paragraph 3(1) of Schedule 2 to the Pensions Act (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22)), section 64(1) was amended by paragraph 38 of Schedule 1 to the Pensions Act (Northern Ireland) 2008 (c. 1 (N.I.)) and by paragraph 4(2) of Schedule 9 to the Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006 (N.I. 1)), section 70 was amended by Article 2(2)(a)(iii) of the Deregulation (Carer's Allowance) Order (Northern Ireland) 2002 (S.R. 2002 No. 321), section 132A was inserted by paragraph 3 of Schedule 2 to the State Pension Credit Act (Northern Ireland) 2002 (c. 14 (N.I.)) and section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)
- (b) 1992 c. 8; section 5(1A) was inserted by Article 104(3) of the Welfare Reform (Northern Ireland) Order 2015 and section 165(1) was amended by paragraph 49(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671) and section 18(5) of the National Insurance Contributions Act 2014 (c. 7)
- (c) S.I. 1995/2705 (N.I. 15)
- (d) S.I. 1998/1506 (N.I. 10); Article 10(1) was amended by Part 7 of Schedule 12 to the Welfare Reform (Northern Ireland) Order 2015 and Article 74(1) was amended by paragraph 17(2) of Schedule 4 to the Tax Credits Act 2002
- (e) See Article 8(b) of S.R. 1999 No. 481 and section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))
- (f) 2002 c. 14 (N.I.)
- (g) 2007 c. 2 (N.I.)
- (h) S.I. 2015/2006 (N.I. 1)
- (i) See section 171(6A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 as inserted by Article 3(3) of the Social Security (Amendment) (Northern Ireland) Order 1993 (S.I. 1993/1579 (N.I. 8)); see also Article 6(b) of S.R. 1999 No. 481 and section 1(4) of the Departments Act (Northern Ireland) 2016

(2) Regulations 4 and 6(2) shall come into operation on 6th December 2018.

(3) The Interpretation Act (Northern Ireland) 1954(a) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment of the Social Security (Invalid Care Allowance) Regulations

2.—(1) The Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976(b) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 9(1)(c) (conditions relating to residence and presence in Northern Ireland) for “9A and 9B” substitute “9A, 9B and 9C”.

(3) After regulation 9B(d) (persons residing in an EEA state other than the United Kingdom or in Switzerland to whom a relevant EU Regulation applies) insert—

“Refugees

9C.—(1) Regulation 9(1)(c) shall not apply where the person has—

- (a) been granted refugee status or humanitarian protection under the immigration rules; or
- (b) leave to enter or remain in the United Kingdom as the dependant of a person granted refugee status or humanitarian protection under the immigration rules.

(2) For the purposes of this regulation “immigration rules” means the rules laid before Parliament under section 3(2) of the Immigration Act 1971.”.

Amendment of the Social Security (Overlapping Benefits) Regulations

3. In paragraph 10 of Schedule 1 to the Social Security (Overlapping Benefits) Regulations (Northern Ireland) 1979(e) (personal benefits which are required to be adjusted by reference to benefits not under chapters I and II of Part II of the Act) at the beginning insert “Personal independence payment,”.

Amendment of the Social Security (Widow’s Benefit and Retirement Pensions) Regulations

4.—(1) The Social Security (Widow’s Benefit and Retirement Pensions) Regulations (Northern Ireland) 1979(f) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 1(2) (interpretation) after the definition of “unemployability supplement” insert—

““widowed mother’s allowance” means an allowance referred to in section 37 of the Contributions and Benefits Act;”.

(3) In regulation 7 (Category B retirement pension for certain widows by virtue of husband’s contributions)—

- (a) in paragraph (e) for “the age of 65” substitute “pensionable age”; and
- (b) after paragraph (f) add—

“(g) her having ceased to be entitled to a widowed mother’s allowance at a time when she had reached the age of 65 but was under pensionable age,”.

(a) 1954 c. 33 (N.I.)

(b) S.R. 1976 No. 99; relevant amending Regulations are S.R. 1996 No. 521, S.R. 2000 No. 71, S.R. 2002 No. 323 and S.R. 2016 No. 229

(c) Regulation 9(1) was amended by regulation 2(8) of S.R. 1996 No. 521, regulation 3 of S.R. 2000 No. 71, paragraph 1(b) of the Schedule to S.R. 2002 No. 323 and regulation 2(2)(a) of S.R. 2016 No. 229

(d) Regulation 9B was inserted by regulation 2(3) of S.R. 2016 No. 229

(e) S.R. 1979 No. 242; paragraph 10 of Schedule 1 was inserted by Article 13(5)(c) of S.I. 2013/3021

(f) S.R. 1979 No. 243, to which there are amendments not relevant to these Regulations

Amendment of the Income Support (General) Regulations

5. In regulation 42(2B) of the Income Support (General) Regulations (Northern Ireland) 1987(a) (notional income) for “maximum amount of income which may be withdrawn from the fund” substitute “rate of the annuity which may have been purchased with the fund”.

Amendment of the Social Security (Claims and Payments) Regulations

6.—(1) The Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(b) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 3(1)(d)(c) (claims not required for entitlement to benefit in certain cases)—

(a) in head (i)—

(i) for “over the age of 65 and” substitute “who has reached pensionable age and is”,
and

(ii) omit “or a widowed parent’s allowance”; and

(b) omit head (ii) and the “or” immediately before it.

(3) In regulation 7(6)(b)(d) (evidence and information)—

(a) in head (i) for “maximum amount of income which may be withdrawn from the scheme” substitute “rate of the annuity which may have been purchased with the funds held under the scheme”; and

(b) in head (ii) for “maximum amount of income which might be withdrawn from the fund” substitute “rate of the annuity which might have been purchased with the fund”.

(4) In regulation 32(5)(b)(e) (information to be given and changes to be notified)—

(a) in head (i) for “maximum amount of income which may be withdrawn from the scheme” substitute “rate of the annuity which may have been purchased with the funds held under the scheme”; and

(b) in head (ii) for “maximum amount of income which might be withdrawn from the fund” substitute “rate of the annuity which might have been purchased with the fund”.

Amendment of the Social Security (Attendance Allowance) Regulations

7.—(1) The Social Security (Attendance Allowance) Regulations (Northern Ireland) 1992(f) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2(1)(g) (conditions as to residence and presence in Northern Ireland) for “2A and 2B” substitute “2A, 2B and 2C”.

(3) After regulation 2B(h) (persons residing in an EEA state other than the United Kingdom or in Switzerland to whom a relevant EU regulation applies) insert—

“Refugees

2C.—(1) Regulation 2(1)(a)(iii) shall not apply where the person has—

-
- (a) S.R. 1987 No. 459; regulation 42(2B) was inserted by regulation 2(4)(b) of S.R. 1995 No. 367 and amended by Article 7(2) of S.R. 1999 No. 472 (C. 36) and regulation 3(6)(d) of S.R. 2007 No. 306
- (b) S.R. 1987 No. 465; relevant amending Regulations are S.R. 1995 No. 367, S.R. 2001 No. 108 and S.R. 2015 Nos. 185 and 411
- (c) Regulation 3(1) was renumbered by regulation 4 of S.R. 2015 No. 185 and sub-paragraph (d) was amended by regulation 3(b) of S.R. 2001 No. 108 and regulation 9(3)(b) of S.R. 2015 No. 411
- (d) Regulation 7(6) was added by regulation 5(3) of S.R. 1995 No. 367
- (e) Regulation 32(5) was added by regulation 5(4) of S.R. 1995 No. 367
- (f) S.R. 1992 No. 20; relevant amending Regulations are S.R. 1997 No. 69, S.R. 2000 No. 71, S.R. 2006 No. 359 and S.R. 2016 No. 229
- (g) Regulation 2(1) was amended by regulation 2 of S.R. 1997 No. 69, regulation 8(a) of S.R. 2000 No. 71, regulation 7 of S.R. 2006 No. 359 and regulation 3(2)(a) of S.R. 2016 No. 229
- (h) Regulation 2B was inserted by regulation 3(3) of S.R. 2016 No. 229

- (a) been granted refugee status or humanitarian protection under the immigration rules; or
- (b) leave to enter or remain in the United Kingdom as the dependant of a person granted refugee status or humanitarian protection under the immigration rules.

(2) For the purposes of this regulation “immigration rules” means the rules laid before Parliament under section 3(2) of the Immigration Act 1971.”

Amendment of the Social Security (Disability Living Allowance) Regulations

8.—(1) The Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992(a) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2(1)(b) (conditions as to residence and presence in Northern Ireland) for “2A and 2B” substitute “2A, 2B and 2C”.

(3) After Regulation 2B(c) (persons residing in an EEA state other than the United Kingdom or in Switzerland to whom a relevant EU Regulation applies) insert—

“Refugees

2C.—(1) Regulation 2(1)(a)(iii) shall not apply where the person has—

- (a) been granted refugee status or humanitarian protection under the immigration rules; or
- (b) leave to enter or remain in the United Kingdom as the dependant of a person granted refugee status or humanitarian protection under the immigration rules.

(2) For the purposes of this regulation “immigration rules” means the rules laid before Parliament under section 3(2) of the Immigration Act 1971.”

Amendment of the Jobseeker’s Allowance Regulations

9. In regulation 105(4) of the Jobseeker’s Allowance Regulations (Northern Ireland) 1996(d) (notional income) for “maximum amount of income which may be withdrawn from the fund” substitute “rate of the annuity which may have been purchased with the fund”.

Amendment of the State Pension Credit Regulations

10.—(1) The State Pension Credit Regulations (Northern Ireland) 2003(e) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 15 (income for the purposes of the Act)—

(a) in paragraph (3)—

- (i) after “prescribed under paragraph (1)” insert “, or retirement pension income to which section 16(1)(za) to (e) applies,”, and
- (ii) after “taken into account under paragraph (1)” insert “, or section 16(1)(za) to (e),”; and

(b) in paragraph (4)(f) after sub-paragraph (d) add—

(a) S.R. 1992 No. 32; relevant amending Regulations are S.R. 1993 No. 340, S.R. 1997 No. 69, S.R. 2000 No. 71, S.R. 2006 No. 359 and S.R. 2016 No. 229

(b) Regulation 2(1) was amended by regulation 2(3)(a) of S.R. 1993 No. 340, regulation 3(2) of S.R. 1997 No. 69, regulation 9(a) of S.R. 2000 No. 71, regulation 8 of S.R. 2006 No. 359 and regulation 4(3)(a) of S.R. 2016 No. 229

(c) Regulation 2B was inserted by regulation 4(4) of S.R. 2016 No. 229

(d) S.R. 1996 No. 198, regulation 105(4) was amended by Article 9(5)(h) of S.R. 1999 No. 428 (C. 32) and regulation 4(4)(b) of S.R. 2007 No. 306

(e) S.R. 2003 No. 28; relevant amending Regulations are S.R. 2005 No. 580 and S.R. 2008 No. 286

(f) Paragraph (4) was amended by regulation 7(3) of S.R. 2005 No. 580 and sub-paragraph (d) was added by regulation 30(6) of S.R. 2008 No. 286

- “(e) section 14 of the Pensions Act (Northern Ireland) 2015 (pension sharing: reduction in the sharer’s section 4 pension);
- (f) section 45B (reduction of additional pension in Category A retirement pension: pension sharing) or section 55B (reduction of shared additional pension: pension sharing) of the Contributions and Benefits Act.”.

(3) In regulation 18(3) (notional income) for “maximum amount of income which may be withdrawn from the fund” substitute “rate of the annuity which may have been purchased with the fund and is to be determined by the Department, taking account of information provided by the pension fund holder in accordance with regulation 7(5) of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987”.

Amendment of the Housing Benefit Regulations

11. In regulation 82(7)(b) of the Housing Benefit Regulations (Northern Ireland) 2006(a) (evidence and information)—

- (a) in head (i) for “maximum amount of income which may be withdrawn from the scheme” substitute “rate of the annuity which may have been purchased with the funds held under the scheme”; and
- (b) in head (ii) for “maximum amount of income which might be withdrawn from the fund” substitute “rate of the annuity which might have been purchased with the fund”.

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations

12.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006(b) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 27 (meaning of “income”)—

- (a) in paragraph (3) after “prescribed under paragraph (1)” insert “, or retirement pension income to which section 16(1)(za) to (e) of the State Pension Credit Act applies,”; and
- (b) in paragraph (4) after sub-paragraph (d)(c) add—
 - “(e) section 14 of the Pensions Act (Northern Ireland) 2015 (pension sharing: reduction in the sharer’s section 4 pension);
 - (f) section 45B (reduction of additional pension in Category A retirement pension: pension sharing) or section 55B (reduction of shared additional pension: pension sharing) of the Act.”.

(3) In regulation 39(5)(d) (notional income) for “maximum amount of income which may be withdrawn from the fund” substitute “rate of the annuity which may have been purchased with the fund”.

(4) In regulation 63(7)(b)(e) (evidence and information)—

- (a) in head (i) for “maximum amount of income which may be withdrawn from the scheme” substitute “rate of the annuity which may have been purchased with the funds held under the scheme”; and
- (b) in head (ii) for “maximum amount of income which might be withdrawn from the fund” substitute “rate of the annuity which might have been purchased with the fund”.

(a) S.R. 2006 No. 405; regulation 82(7)(b) was amended by regulation 5(6)(c) of S.R. 2007 No. 306
 (b) S.R. 2006 No. 406; relevant amending instruments are S.R. 2007 No. 306 and S.R. 2008 No. 378
 (c) Sub-paragraph (d) was added by regulation 4(5) of S.R. 2008 No. 378
 (d) Regulation 39(5) was amended by regulation 6(4)(b) of S.R. 2007 No. 306
 (e) Regulation 63(7)(b) was amended by regulation 6(5)(c) of S.R. 2007 No. 306

Amendment of the Employment and Support Allowance Regulations

13. In regulation 106(6)(a) of the Employment and Support Allowance Regulations (Northern Ireland) 2008 (notional income-deprivation and income on application) for “maximum amount of income which may be withdrawn from the fund” substitute “rate of the annuity which may have been purchased with the fund”.

Amendment of the State Pension Regulations

14. In regulation 35 of the State Pension Regulations (Northern Ireland) 2015(b) (credits for persons providing care for a child under the age of 12)—

- (a) for paragraphs (3) and (4) substitute—
 - “(3) A is not entitled to be credited with a Class 3 contribution unless—
 - (a) child benefit was awarded to another person (“B”) in respect of—
 - (i) the child, or each child, for whom A provided care, and
 - (ii) the week in which A provided that care;
 - (b) B’s earnings factors, other than those derived from a Class 3 contribution credit awarded under regulation 34, exceed the qualifying earnings factor for the year in which the relevant week falls; and
 - (c) A makes an application to the Department to be so credited in accordance with paragraph (5) and regulation 39.
 - (4) Where the requirements relating to the provision of care by A in paragraph (3)(a)(i) can be satisfied by more than one person in respect of a week in which B was awarded child benefit—
 - (a) those persons shall elect, with the agreement of B, which of them is to be credited with a Class 3 contribution credit (and then only the elected person is to be so credited), or
 - (b) the Department is to exercise its discretion to determine which of those persons is to be credited with that contribution, in default of the agreement referred to in sub-paragraph (a).”; and
- (b) in paragraph (5)—
 - (i) for “(4)(c)” substitute “(3)(c).”, and
 - (ii) in sub-paragraphs (a) and (c) after “the child” insert “, or each child.”.

Amendment of the Personal Independence Payment Regulations

15. After regulation 23 of the Personal Independence Payment Regulations (Northern Ireland) 2016(c) (persons residing in an EEA state other than the United Kingdom or in Switzerland to whom a relevant EU Regulation applies) insert—

“Refugees

23A.—(1) Regulation 16(b) does not apply in relation to a claim for personal independence payment where C has—

- (a) been granted refugee status or humanitarian protection under the immigration rules; or
- (b) leave to enter or remain in the United Kingdom as the dependant of a person granted refugee status or humanitarian protection under the immigration rules.

(a) S.R. 2008 No. 280, to which there are amendments not relevant to these Regulations
(b) S.R. 2015 No. 315; regulation 35 was inserted by regulation 2(2) of S.R. 2016 No. 100
(c) S.R. 2016 No. 217, to which there are amendments not relevant to these Regulations

(2) For the purposes of this regulation “immigration rules” means the rules laid before Parliament under section 3(2) of the Immigration Act 1971.”.

Amendment of the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations

16. In regulation 38(3)(b) of the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations (Northern Ireland) 2016(a) (evidence and information required from pension fund holders)—

- (a) in head (i) for “maximum amount of income which may be withdrawn from the scheme” substitute “rate of the annuity which may have been purchased with the funds held under the scheme”; and
- (b) in head (ii) for “maximum amount of income which might be withdrawn from the fund” substitute “rate of the annuity which might have been purchased with the fund”.

Amendment of the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Decisions and Appeals) Regulations

17.—(1) The Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Decisions and Appeals) Regulations (Northern Ireland) 2016(b) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2 (interpretation)—

- (a) in paragraph (2) omit “Subject to paragraph (3),”; and
- (b) omit paragraph (3).

(3) In regulation 6(3)(c) (late application for a revision) for “13” substitute “12”.

Consequential revocation

18. Regulation 10(3)(b) of the Social Security (Benefits for Widows and Widowers) (Consequential Amendments) Regulations (Northern Ireland) 2001(c) is revoked.

Sealed with the Official Seal of the Department for Communities on 24th October 2017

(L.S.)

Anne McCleary
A senior officer of the Department for Communities

The Department of Finance hereby consents to regulations 11 and 12.

Sealed with the Official Seal of the Department of Finance on 24th October 2017

(L.S.)

Emer Morelli
A senior officer of the Department of Finance

(a) S.R. 2016 No. 220, to which there is an amendment not relevant to these Regulations
(b) S.R. 2016 No. 221, to which there is an amendment not relevant to these Regulations
(c) S.R. 2001 No. 108

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend a number of different regulations relating to social security.

Regulations 2, 7, 8 and 15 amend the Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976, the Social Security (Attendance Allowance) Regulations (Northern Ireland) 1992, the Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992 and the Personal Independence Payment Regulations (Northern Ireland) 2016 respectively to exempt those who have been granted refugee status or humanitarian protection and their dependants from the past presence test, which normally has to be fulfilled in order to claim carer's allowance, attendance allowance, disability living allowance and personal independence payment respectively. The past presence test requires that an individual has been present in Northern Ireland for a specified period of time to be eligible for the relevant benefits.

Regulation 3 amends the Social Security (Overlapping Benefits) Regulations (Northern Ireland) 1979 to insert personal independence payment in the list of personal benefits which are required to be adjusted by reference to other benefits payable in the same period.

Regulations 4 and 6(2) amend the Social Security (Widow's Benefit and Retirement Pensions) Regulations (Northern Ireland) 1979 and the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987 ("the Claims and Payments Regulations") respectively to make technical changes as a result of the increase to state pension age. State pension age for men and women will be increased above 65 from 2019. This will affect people reaching age 65 on or after 6th December 2018. As a result of the increase, the maximum age for entitlement to widow's pension will also be increased above age 65 from 2019.

Regulations 5, 9, 10(3), 12(3) and 13 amend the Income Support (General) Regulations (Northern Ireland) 1987, the Jobseeker's Allowance Regulations (Northern Ireland) 1996 and the Employment and Support Allowance Regulations (Northern Ireland) 2008 respectively to change the way in which notional income is calculated as a result of individuals being able to access their pension savings more flexibly. The amendments provide that the amount of income foregone is to be the rate of the annuity which may have been purchased with the pension fund and set out how that amount should be determined.

Regulations 6(3) and (4), 11, 12(4) and 16 amend the Claims and Payments Regulations, the Housing Benefit Regulations (Northern Ireland) 2006 and the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations (Northern Ireland) 2016 respectively to include provision of evidence and information in relation to pension funds where the pension has not been fully drawn upon, in the requirements on pension fund holders.

Regulations 10(2) and 12(2) amend the State Pension Credit Regulations (Northern Ireland) 2003 and the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006 respectively to provide that deductions from retirement pension income specified under section 16(1)(za) to (e) of the State Pension Credit Act (Northern Ireland) 2002 are ignored in the calculation of a person's income, apart from deductions as a result of a pension sharing order.

Regulation 14 amends regulation 35 of the State Pension Regulations (Northern Ireland) 2015, which sets out the circumstances in which a person in receipt of child benefit and who is therefore awarded a National Insurance contribution credit ("credit") for a particular week, may transfer that weekly credit to a specified adult (usually a relative) who also provides care in that week for a child (or children) in respect of whom the child benefit is paid, to provide how to determine which of the specified adults may receive the credit where more than one specified adult cares for a child in a particular week.

Regulation 17 amends the Universal Credit, Personal Independence Payment, Jobseeker's Allowance, Employment and Support Allowance (Decisions and Appeals) Regulations (Northern Ireland) 2016 to provide clarity on the application of the Interpretation Act (Northern Ireland)

1954 and to correct a drafting error in relation to the time limit for making a late application for reconsideration of a decision made about a benefit claim or award.

Regulation 18 makes a consequential revocation to the Social Security (Benefits for Widows and Widowers) (Consequential Amendments) Regulations (Northern Ireland) 2001.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992, are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

© Crown copyright 2017

Printed in the UK by The Stationery Office Limited under the authority and superintendence of the Controller of Her Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print Acts of the Northern Ireland Assembly.

£6.00

NI201710241010 10/2017 19585

<http://www.legislation.gov.uk/id/nisr/2017/218>

ISBN 978-0-33-800865-7



9 780338 008657