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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force provisions of the Welfare Reform (Northern Ireland) Order 2015 ([S.I. 2015/2006 \(N.I. 1\)](#) (“the 2015 Order”)) that relate to universal credit (“UC”) and the abolition of income-related employment and support allowance and income-based jobseeker’s allowance, in relation to cases set out in Articles 3 and 4.

Article 3 brings into force provisions relating to UC in Part 2 of the 2015 Order (“the UC provisions”), as set out in Schedule 1 to the Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 8 and Transitional and Transitory Provisions) Order 2017 ([S.R. 2017 No. 190 \(C. 11\)](#) (“the No. 8 Order”)), in relation to the different cases as set out below.

Under Article 3(1) and (2)(a), the UC provisions come into force in relation to a claim for UC, and any award that is made in respect of the claim, where the claim is made on or after 17th January 2018 with respect to a period that begins on or after 17th January 2018 and, on the date on which the claim is made, the claimant resides in one of the No. 4 relevant districts. Sub-paragraphs (b), (c) and (d) of Article 3(2) make the same provision for claims made on or after 7th February 2018, 21st February 2018 and 7th March 2018, with respect to a period that begins on or after those dates, and on the date on which the claim is made the claimant resides in one of the No. 5, the No. 6 or the No. 7 relevant districts respectively.

The postcodes in the No. 4, the No. 5, the No. 6, and the No. 7 relevant districts are set out in the tables contained in the documents entitled the List of the No. 4, the No. 5, the No. 6, and the No. 7 Relevant Districts, issued by the Department for Work and Pensions on the date of making this Order. The documents are available in the libraries of both Houses of Parliament and may also be obtained free of charge from the DWP Devolution Division, Caxton House, Tothill Street, London SW1H 9NA, in hard copy, or from the Gov.UK website in soft copy, at: <https://www.gov.uk/government/publications/universal-credit-roll-out-in-northern-ireland-by-postcode>

Under Article 3(1) and (2)(e), the UC provisions come into force in relation to a claim for UC, and any award that is made in respect of the claim, where the claimant claims UC on or after the dates referred to in Article 3(2)(a) to (d) in respect of a period that begins on or after those dates and provides incorrect information regarding the claimant residing in the area in question but this is only discovered once payments of UC have been made.

Under Article 3(3), the day appointed for the coming into force of the UC provisions in the above cases is the first day of the period in respect of which the claim is made.

Paragraphs (4) and (5) of Article 3 apply the provisions of Article 4(6) (period for which a claim for UC is made) and Article 5 (incorrect information regarding residence in the No. 1 relevant districts) of the No. 8 Order respectively to the cases in Article 3(2) of this Order.

Article 4 brings into force provisions of the 2015 Order relating to the abolition of income-related employment and support allowance and income-based jobseeker’s allowance (“the amending provisions”), in relation to a number of different cases as referred to below.

Under Article 4(1) and (2)(a), the amending provisions come into force in relation to a claim for UC, and any award that is made in respect of the claim, where the claim is made on or after 17th January 2018 with respect to a period that begins on or after 17th January 2018 and, on the date on which the claim is made, the claimant resides in one of the No. 4 relevant districts. Sub-paragraphs (b), (c) and (d) of Article 4(2) make the same provision for claims made on or after 7th February

**Changes to legislation:** *There are currently no known outstanding effects for the The Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 10 and Transitional and Transitory Provisions and Commencement No. 9 and Transitional and Transitory Provisions (Amendment)) Order 2018. (See end of Document for details)*

2018, 21st February 2018 and 7th March 2018 where the claimant resides in one of the No. 5, the No. 6 or the No. 7 relevant districts respectively.

Under Article 4(1) and (2)(e), the amending provisions come into force in relation to a claim for UC, and any award that is made in respect of the claim, where the claimant claims UC on or after the dates referred to in Article 4(2)(a) to (d) in respect of a period that begins on or after those dates and provides incorrect information regarding the claimant residing in the area in question but this is only discovered once payments of UC have been made.

Under Article 4(1) and sub-paragraphs (f) to (i) of paragraph (2), the amending provisions come into force in relation to a claim for an employment and support allowance (“ESA”) or a jobseeker’s allowance (“JSA”), and any award that is made in respect of the claim, where the claim is made on or after the dates referred to in any of those sub-paragraphs and, on the date on which the claim is made, the claimant resides in the area specified in that sub-paragraph.

Under Article 4(1) and (2)(j), the amending provisions come into force in relation to the case of a claim for ESA or JSA where the claim is not a claim for ESA or JSA as referred to in Article 4(2) (f) to (i) and where the claim is made during the “relevant period” (mainly the period when a claim for UC is being considered or an award of UC is extant).

Under Article 4(3), the day appointed for the coming into force of the amending provisions in the above cases is the first day of the period in respect of which the claim is made.

Paragraphs (6) to (8) of Article 4 apply the provisions of Article 6(4), (5), (6) and (7) (matters included in the reference to the case of a claim for UC) and Article 7(1), (2) (claim for ESA or JSA by a member of a couple) and (8) (the period for which a claim for ESA, JSA or UC is made) of the No. 8 Order to the cases in Article 4(2).

Article 5 provides that Articles 10 to 23 of the No. 8 Order apply in connection with the coming into force of the amending provisions in relation to the case of a claim referred to in Article 4(2), and any award made in respect of the claim, as they apply in connection with the coming into force of the amending provisions in relation to the case of a claim referred to in Article 6(2) of the No. 8 Order, and any award made in respect of the claim.

Article 6 contains transitional provisions that provide that, save in specified cases, a person may not make a claim for housing benefit, income support or a tax credit on any date where, if that person made a claim for UC on that date, the UC provisions would come into force in relation to the claim by virtue of Article 3(1) and (2)(a) to (d) of this Order.

Article 7 makes minor corrections to Articles 2 and 6 of the Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 9 and Transitional and Transitory Provisions) Order 2017.

**Changes to legislation:**

There are currently no known outstanding effects for the The Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 10 and Transitional and Transitory Provisions and Commencement No. 9 and Transitional and Transitory Provisions (Amendment)) Order 2018.