
STATUTORY RULES OF NORTHERN IRELAND

2018 No. 187

The Universal Credit and Jobseeker's Allowance (Miscellaneous Amendments) Regulations (Northern Ireland) 2018

Amendments to the Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016

4.—(1) The Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016⁽¹⁾ are amended in accordance with paragraphs (2) and (3).

(2) In regulation 3A⁽²⁾ (entitlement to universal credit and housing benefit: universal credit work allowance) omit “not” the second time it occurs.

(3) After regulation 8⁽³⁾ (treatment of overpayments) insert—

“Arrears of benefit disregarded as capital

8A.—(1) This regulation applies in relation to the calculation of an award of universal credit (the “current award”) where the claimant has received a payment of arrears of benefit, or a concessionary payment made to compensate for arrears of benefit, of £5,000 or more, and the following conditions are met:

- (a) the payment—
 - (i) is received during the current award, or
 - (ii) was received during an award of an existing benefit (the “earlier award”) and the claimant became entitled to the current award within one month of the date of termination of the earlier award;
- (b) in the case of a payment falling within sub-paragraph (a)(i), it would be disregarded from the calculation of the claimant's capital if the claimant were entitled to an existing benefit;
- (c) in the case of a payment falling within sub-paragraph (a)(ii), it was disregarded from the calculation of the claimant's capital for the purposes of the earlier award; and
- (d) the period of entitlement to benefit to which the payment relates commences before the first date on which, by virtue of Article 39 of the Order (abolition of benefits), no claimant is entitled to an existing benefit.

(2) Where this regulation applies, the payment is to be disregarded from the calculation of a claimant's capital for 12 months from the date of receipt of the payment, or until the termination of the current award (if later).”.

(1) [S.R. 2016 No. 226](#).

(2) Regulation 3A was inserted by regulation 9(4) of [S.R. 2018 No. 92](#).

(3) Regulation 8 was amended by regulation 12(3) of [S.R. 2017 No. 116](#).