
STATUTORY RULES OF NORTHERN IRELAND

2018 No. 92

The Universal Credit (Persons Required to Provide Information, Miscellaneous Amendments and Saving and Transitional Provision) Regulations (Northern Ireland) 2018

Amendments to the Housing Benefit Regulations (Northern Ireland) 2006

4.—(1) The Housing Benefit Regulations (Northern Ireland) 2006⁽¹⁾ are amended in accordance with paragraphs (2) to (9).

(2) After regulation 2(3A)(2) (interpretation) insert—

“(3B) For the purposes of these Regulations, a person (“P”) is on universal credit on any day in respect of which P is entitled to universal credit (whether it is in payment or not).”.

(3) In regulation 5(1)(b)(3) (persons who have attained the qualifying age for state pension credit) before “on income support” insert “on universal credit”.

(4) In regulation 7(6)(a)(i) (circumstances in which a person is or is not to be treated as occupying a dwelling as his home), for “housing benefit should be paid” substitute “payments should be made (whether by way of housing benefit or universal credit)”.

(5) After regulation 53(2)(a) (full-time students to be treated as not liable to make payments in respect of a dwelling) insert—

“(aa) who is a person on universal credit, except where the award of universal credit to that person includes an amount in respect of a liability to make payments in respect of the accommodation they occupy as their home, in accordance with Article 16 of the 2015 Order (housing costs);”.

(6) In regulation 81(5) (time and manner in which claims are to be made)—

(a) after sub-paragraph (a) insert—

“(aa) in a case where an award of universal credit has been made to the claimant and the claim for housing benefit is made—

(i) within one month of a date on which the claim for universal credit was made in accordance with regulation 7 of the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations (Northern Ireland) 2016⁽⁴⁾; or

(ii) in a case where the award of universal credit was made without a claim in accordance with regulation 8(6), (7) or (10) (claims for universal credit by members of a couple) of the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations (Northern Ireland) 2016, or the

(1) S.R. 2006 No. 405; relevant amending Regulations are S.R. 2008 No. 378.

(2) Paragraph (3A) was inserted by regulation 3(2)(b) of S.R. 2008 No. 378.

(3) Regulation 5(1)(b) was amended by regulation 3(3) of S.R. 2008 No. 378.

(4) S.R. 2016 No. 220.

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claimant was treated as making a claim for universal credit under regulation 8(8) of those Regulations, within one month of the date on which the Department sent notification of the award to the claimant,

the first day of entitlement to universal credit arising from the award;”;

(b) in sub-paragraph (b) before “income support” insert “universal credit;” and

(c) in sub-paragraph (d) for “sub-paragraph (a), (b) or (c)” substitute “sub-paragraph (a), (aa), (b) or (c)”.

(7) In Schedule 5 (sums to be disregarded in the calculation of earnings) in paragraph 12(5) before “income support” insert “universal credit;”.

(8) In Schedule 6 (sums to be disregarded in the calculation of income other than earnings) in paragraph 4(6) before “income support” insert “universal credit;”.

(9) In Schedule 7 (capital to be disregarded) in paragraph 5(7) before “income support” insert “universal credit;”.

(5) Paragraph 12 was amended by regulation 3(18)(b) of S.R. 2008 No. 378.

(6) Paragraph 4 was amended by regulation 3(19)(a) of S.R. 2008 No. 378.

(7) Paragraph 5 was amended by regulation 3(20)(a) of S.R. 2008 No. 378.