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STATUTORY RULES OF NORTHERN IRELAND

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**2019 No. 152**

**The Universal Credit (Managed Migration and Miscellaneous Amendments) Regulations (Northern Ireland) 2019**

**Two week run-on of income support, income-based jobseeker's allowance and income-related employment and support allowance: amendment of the Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016**

**3.—(1)** The Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016<sup>(1)</sup> are amended in accordance with paragraphs (2) to (7).

(2) For regulation 3(2)(a) (exclusion of entitlement to certain benefits) **(2)** substitute—

- “(a) housing benefit in respect of specified accommodation or temporary accommodation;
- (ab) housing benefit or income support where regulations 6(2A), 47(1) or 48(2) apply; or”.

(3) In regulation 6 (termination of awards of certain existing benefits: other claimants)—

- (a) in paragraph (2)**(3)** omit “income support,”; and
- (b) in paragraph (2A)**(4)** omit the words “income support or” where they appear before “a tax credit” and insert them before “housing benefit”.

(4) After regulation 6A (transitional housing payment)**(5)** insert—

**“Effect on universal credit award of two week run-on of income support, income-based jobseeker's allowance and income-related employment and support allowance**

**6B.** In a case where an award of income support, income-based jobseeker's allowance or income-related employment and support allowance is to continue for two weeks after the commencement of an award of universal credit by virtue of regulation 6(2A), 47(1) or 48(2) or by virtue of regulation 4 (two week run-on of income-based jobseeker's allowance and income-related employment and support allowance: day appointed for abolition) of the Universal Credit (Managed Migration and Miscellaneous Amendments) Regulations (Northern Ireland) 2019—

- (a) regulation 79 of the Universal Credit Regulations applies as if the benefit in question was not included in the list of welfare benefits in Article 101(7) of the Order (benefit cap)**(6)**; and
- (b) in a case where the claimant has become entitled to an award of new style JSA or new style ESA on the termination of an award of income-based jobseeker's allowance or income-related employment and support allowance, the claimant is to be treated, for

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<sup>(1)</sup> Relevant amendments to these Regulations made by regulation 3 come into force on 24<sup>th</sup> July 2019 and the further amendments made by this regulation come into force on 22<sup>nd</sup> July 2020.

<sup>(2)</sup> Regulation 3(2)(a) was amended by regulation 9(3) of [S.R. 2018 No. 92](#) and regulation 2(3) of these Regulations.

<sup>(3)</sup> Paragraph (2) was amended by regulation 9(6)(a) of [S.R. 2018 No. 92](#).

<sup>(4)</sup> Paragraph (2A) was inserted by regulation 9(6)(b) of [S.R. 2018 No. 92](#).

<sup>(5)</sup> Regulation 6A was inserted by regulation 9(7) of [S.R. 2018 No. 92](#).

<sup>(6)</sup> Article 101(7) was amended by Article 5(4) of the Welfare Reform and Work (Northern Ireland) Order 2016 ([S.I. 2016/999\(N.I.1\)](#)).

the purposes of regulation 73 of the Universal Credit Regulations (unearned income calculated monthly), as if they had been entitled to that award of new style JSA or new style ESA from the first day of the award of universal credit”.

- (5) In regulation 47(7) (termination of existing benefits if no claim before the deadline)—
  - (a) in paragraph (1)(a) after “housing benefit” insert “income support, income-based jobseeker’s allowance or income-related employment and support allowance,”; and
  - (b) in paragraph (1)(b) for “any other existing benefit” substitute “a tax credit”.
- (6) In regulation 48(8) (notified persons who claim as a different benefit unit)—
  - (a) in paragraph (2)(a) after “housing benefit” insert “income support, income-based jobseeker’s allowance or income-related employment and support allowance,”; and
  - (b) in paragraph (2)(b) for “any other existing benefit” substitute “a tax credit”.
- (7) In regulation 12(3) (appeals etc. relating to certain existing benefits) after “regulation 6” insert “, 47 or 48”.

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**Commencement Information**

**II** Reg. 3 in operation at 22.7.2020, see [reg. 1\(3\)](#)

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(7) Regulation 47 was inserted by regulation 2(8) of these Regulations.

(8) Regulation 48 was inserted by regulation 2(8) of these Regulations.

**Changes to legislation:**

There are currently no known outstanding effects for the The Universal Credit (Managed Migration and Miscellaneous Amendments) Regulations (Northern Ireland) 2019, Section 3.