

2019 No. 173

SOCIAL SECURITY

The Universal Credit (Childcare Costs and Minimum Income Floor) (Amendment) Regulations (Northern Ireland) 2019

Made - - - -at 11.43 a.m. on 9th September 2019

Laid before Parliament 9th September 2019

Coming into operation in accordance with regulation 1(2) and (3)

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by Articles 5, 13(3)(a) and (4), 17(1) and (3) and 48(1) of, and paragraph 4(1), (3)(a) and (4) of Schedule 1 to, the Welfare Reform (Northern Ireland) Order 2015^(a).

These powers are exercisable by the Secretary of State by virtue of Article 4(1)(a) of the Welfare Reform (Northern Ireland) Order 2015.

Citation and commencement

1.—(1) These Regulations may be cited as the Universal Credit (Childcare Costs and Minimum Income Floor) (Amendment) Regulations (Northern Ireland) 2019.

(2) This regulation and regulation 3 come into operation on 3rd October 2019.

(3) Regulation 2 comes into operation on 16th October 2019.

Childcare Costs

2. In regulation 34 of the Universal Credit Regulations (Northern Ireland) 2016^(b)—

(a) in paragraph (1)(a) (the childcare costs condition) for “before the end of that assessment period” substitute “before the end of the assessment period that follows the assessment period in which they are paid”;

(b) after paragraph (2) insert—

“(3) For the purposes of paragraph (2), “the relevant notification period” in regulation 36 of the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Decisions and Appeals) Regulations (Northern Ireland) 2016^(c) (effective dates for superseding decisions where changes notified late) means a period of time ending on the last day of the assessment period that follows the assessment period in which the charges for relevant childcare were paid.”.

^(a) S.I. 2015/2006 (N.I. 1). Regulation 5 is cited for the meaning of “prescribed”.

^(b) S.R. 2016 No. 216.

^(c) S.R. 2016 No. 221.

Minimum Income Floor

3. In regulation 63(1)(b) (minimum income floor) of the Universal Credit Regulations (Northern Ireland) 2016, after “apart from this regulation” insert “or regulation 89 (claimants subject to no work-related requirements – the earnings threshold)”.

Signed by authority of the Secretary of State for Work and Pensions

Mims Davies
Parliamentary Under-Secretary of State
Department for Work and Pensions

At 11.43 a.m. on 9th September 2019

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations amend the Universal Credit Regulations (Northern Ireland) 2016 (S.R. 2016 No. 216) (“the 2016 Regulations”).

Regulation 2 extends the time which claimants have to report payment of childcare costs in order for those costs to be taken into account in the childcare costs element when calculating an award of universal credit.

Regulation 3 clarifies that the earnings threshold in regulation 89 of the 2016 Regulations, which, if met, exempts a claimant from work search and work availability requirements, is only relevant for a gainfully self-employed claimant insofar as that regulation is specifically cross-referred to in regulation 63(4). The minimum income floor, which has its own earnings threshold, cannot be avoided by a gainfully self-employed claimant who would be in the all work-related requirements group but for the earnings exemption in regulation 89.

An impact assessment has not been produced for this instrument as it has no impact on business or civil society organisations.

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£4.90

NI201909091018 09/2019 19585

<http://www.legislation.gov.uk/id/nisr/2019/173>

ISBN 978-0-33-801132-9



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