

2019 No. 2

SOCIAL SECURITY

**The Universal Credit (Transitional Provisions) (SDP Gateway)
(Amendment) Regulations (Northern Ireland) 2019**

<i>Made</i> - - - -	<i>11th January 2019</i>
<i>Laid before Parliament</i>	<i>14th January 2019</i>
<i>Coming into operation</i> -	<i>16th January 2019</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by Article 48(1) and (2) of, and paragraphs 1(1) and 3(1)(a) of Schedule 6 to, the Welfare Reform (Northern Ireland) Order 2015(a).

Those 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. These Regulations may be cited as the Universal Credit (Transitional Provisions) (SDP Gateway) (Amendment) Regulations (Northern Ireland) 2019 and come into force on 16th January 2019.

Amendment of the Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016

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

(2) In regulation 2(1)(c) (interpretation) after the definition of “qualifying young person” insert—

““severe disability premium” means the premium in relation to an employment and support allowance under paragraph 6 of Schedule 4 to the ESA Regulations 2008 or, as the case may be, the corresponding premium in relation to income support, old style JSA or housing benefit;”.

(3) After regulation 2A(d) insert—

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- (a) S.I. 2015/2006 (N.I. 1).
(b) S.R. 2016 No. 226.
(c) The definition of qualifying young person was inserted by regulation 3(2) of S.R. 2017 No.79.
(d) Regulation 2A was inserted by regulation 12(2) of S.R. 2017 No. 116.

“Restriction on claims for universal credit by persons entitled to a severe disability premium

2B. No claim may be made for universal credit on or after 16th January 2019 by a single claimant who, or joint claimants either of whom—

- (a) is, or has been within the past month, entitled to an award of an existing benefit that includes a severe disability premium; and
- (b) in a case where the award ended during that month, has continued to satisfy the conditions for eligibility for a severe disability premium.”

Consequential amendments

3.—(1) The Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 8 and Transitional and Transitory Provisions) Order 2017(a) is amended in accordance with paragraphs (2) and (3).

(2) In Article 8(1) (transitional provision where the Department determines that claims for universal credit may not be made: effect on claims for employment and support allowance and jobseeker’s allowance) before “regulation 40” insert “regulation 2B of those Regulations (restriction on claims for universal credit by persons entitled to a severe disability premium) or”.

(3) In Article 24(2) (transitional provision: claims for housing benefit, income support or a tax credit) before “40” insert “2B or”.

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

Alok Sharma
Minister of State for Employment
Department for Work and Pensions

11th January 2019

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision restricting claims for universal credit by claimants who are, or have been, in receipt of an existing benefit that includes a severe disability premium.

Regulation 1 provides for citation and commencement.

Regulation 2 contains amendments to the Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016 (S.R. 2016 No. 226).

Regulation 3 makes consequential amendments that enable those claimants who are prevented from claiming universal credit by virtue of regulation 2 to make a claim for an existing benefit.

An impact assessment has not been produced for this instrument as it has no impact on business and civil society organisations. This instrument has no impact on the public sector.

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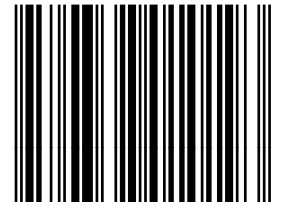
(a) S.R. 2017 No. 190 (C. 11).

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