
STATUTORY RULES OF NORTHERN IRELAND

2020 No. 166

The Universal Credit (Exceptions to the Requirement not to be receiving Education) (Amendment) Regulations (Northern Ireland) 2020

Amendment of the Universal Credit Regulations (Northern Ireland) 2016

2.—(1) In regulation 14 (exceptions to the requirement not to be receiving education) of the Universal Credit Regulations (Northern Ireland) 2016⁽¹⁾—

(a) regulation 14 shall stand as paragraph (1);

(b) for paragraph (1)(b) substitute—

“(b) the person is entitled to attendance allowance, disability living allowance or personal independence payment and it has been determined—

(i) that the person has limited capability for work or limited capability for work and work-related activity on the basis of an assessment under Part 5 of these Regulations or Part 4 or 5 of the ESA Regulations⁽²⁾;

(ii) that the person is to be treated as having limited capability for work under Schedule 8⁽³⁾ or limited capability for work and work-related activity under Schedule 9; or

(iii) that the person is to be treated as having limited capability for work or limited capability for work and work-related activity under regulation 19(2)(b) of the Universal Credit (Transitional Provisions) Regulations Northern Ireland 2016⁽⁴⁾,

and that determination was made on or before the date of claim to universal credit, where the person is receiving education on the date the claim is made, or the date on which the person starts receiving education, where the person starts receiving education after the date of claim to universal credit;”;

(c) after paragraph (1)(f) insert—

“(2) Where regulation 8(6)(a) or 8(10) of the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations (Northern Ireland) 2016⁽⁵⁾ (award of universal credit without a claim) applies to a person who is receiving education, paragraph (1)(b) is to be read as if each reference to “date of claim” was a reference to “date of award”.”.

(1) S.R. 2016 No. 216.

(2) S.R. 2016 No. 219.

(3) Amended by S.R. 2016/226 and S.R. 2017/51.

(4) S.R. 2016/226, amended by S.R. 2017/51.

(5) S.R. 2016/220.