
STATUTORY RULES OF NORTHERN IRELAND

2022 No. 194

**The Universal Credit (Transitional Provisions)
(Amendment) Regulations (Northern Ireland) 2022**

Restriction on claims for housing benefit, income support or a tax credit

4. Before regulation 5 of the Transitional Provisions Regulations (termination of awards of certain existing benefits: new claimant partners) insert—

“Restriction on claims for housing benefit, income support or a tax credit

4A.—(1) Except as provided by paragraphs (2) to (7) a person may not make a claim for housing benefit, income support, or a tax credit.

(2) Paragraph (1) does not apply to a claim for housing benefit in respect of specified accommodation or temporary accommodation.

(3) Paragraph (1) does not apply to a claim for housing benefit that is made during the last assessment period of an award of universal credit, where the claimant reaches the qualifying age for state pension credit and paragraph 26 of Schedule 1 to the Decisions and Appeals Regulations⁽¹⁾ applies, in respect of entitlement arising from the date the claimant reaches that age.

(4) Paragraph (1) does not apply to a claim for housing benefit by a single person who has reached the qualifying age for state pension credit, or a member of a State Pension Credit Act couple where both members have reached that age or a member of a polygamous marriage where all members have reached that age.

(5) Paragraph (1) does not apply to a claim for housing benefit where—

(a) the claim is made by a member of a State Pension Credit Act couple who has reached the qualifying age for state pension credit and the other member has not reached that age; and

(b) one of the savings in the sub-paragraphs of article 4(1) of the Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 13 and Savings and Transitional Provisions and Commencement No. 8 and Transitional and Transitory Provisions (Amendment)) Order 2019⁽²⁾ applies and the saving has not ceased to have effect under article 4(2) of that order.

(6) Paragraph (1) does not apply to a claim for a tax credit where a person makes or persons make a claim for child tax credit or working tax credit and on the date on which he or she (or they) makes or make the claim he or she (or they) has or have an award of working tax credit or child tax credit respectively.

(7) Paragraph (1) does not apply to a claim for a tax credit where a person has or had, or persons have or had, an award of child tax credit or working tax credit in respect of a

(1) S.R. 2016 No. 221. Schedule 1 paragraph 26 was substituted by S.R. 2020 No. 119.

(2) S.R. 2019 No. 4 (C. 1) The relevant amending instruments are S.R. 2019 No. 107, S.R. 2020 No. 119

tax year and that person or those persons makes or make (or is or are treated as making) a claim for that tax credit for the next tax year.

(8) For the purposes of this regulation—

(a) “polygamous marriage” has the same meaning as in regulation 3(4) of the Universal Credit Regulations;

(b) “State Pension Credit Act couple” means a couple as defined in section 17(1) of the State Pension Credit Act (Northern Ireland) 2002⁽³⁾,

and a reference to the date on which a claim for tax credit is made is a reference to the date on which such a claim is made or treated as made as provided for in the Tax Credits (Claims and Notification) Regulations 2002⁽⁴⁾.”

⁽³⁾ The definition of “couple” in section 17 was substituted by regulation 71(a) of [S.I. 2019/1514](#)

⁽⁴⁾ [S.I. 2002/2014](#)