

This Statutory Rule has been made in consequence of a defect in S.R. 2016 No. 216 and is being issued free of charge to all known recipients of that Statutory Rule

STATUTORY RULES OF NORTHERN IRELAND

2022 No. 223

SOCIAL SECURITY

**The Universal Credit (Administrative Earnings Threshold)
(Amendment) Regulations (Northern Ireland) 2022**

Made - - - - *22nd September 2022*

Coming into operation - *26th September 2022*

The Department for Communities^(a) makes the following Regulations in exercise of the powers conferred by Articles 29(1) and 48(1) of the Welfare Reform (Northern Ireland) Order 2015^(b).

The powers are exercisable by the Department for Communities by virtue of Article 2 of the Welfare Reform (Northern Ireland) Order 2015 (Cessation of Transitory Provision) Order 2020^(c).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Universal Credit (Administrative Earnings Threshold) (Amendment) Regulations (Northern Ireland) 2022 and come into operation on 26th September 2022.

(2) Any amendment made by these Regulations has the same extent as the provision amended.

Amendment of the Universal Credit Regulations (Northern Ireland)

2. For regulation 97(14) of the Universal Credit Regulations (Northern Ireland) 2016^(d) (circumstances in which requirements must not be imposed) substitute—

“(14) This paragraph applies where—

- (a) the claimant has monthly earnings (excluding any that are not employed earnings) that are equal to, or more than, the amount that a person would be paid at the hourly rate set out in regulation 4 of the National Minimum Wage Regulations for 12 hours per week, converted to a monthly amount by multiplying by 52 and dividing by 12; or
- (b) the claimant is a member of a couple whose combined monthly earnings (excluding any that are not employed earnings) are equal to, or more than, the amount that a person would be paid at the hourly rate set out in regulation 4 of the

^(a) The Department for Social Development was renamed the Department for Communities in accordance with section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))

^(b) S.I. 2015/2006 (N.I. 1).

^(c) S.I. 2020/927

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

National Minimum Wage Regulations for 19 hours per week, converted to a monthly amount by multiplying by 52 and dividing by 12.”.

Sealed with the Official Seal of the Department for Communities on 22nd September 2022
(L.S.)

Anne McCleary

A senior officer of the Department for Communities

Explanatory Note

(This is not part of the Regulations)

These Regulations amend regulation 97 of the Universal Credit Regulations (Northern Ireland) 2016 (S.R. 2016 No. 216), which sets out the circumstances in which work search and work availability requirements may not be imposed on a universal credit claimant.

Regulation 97(14) is amended so that work search and work availability requirements may not be imposed where a claimant has monthly earnings from employment that are equal to, or more than, 12 hours per week at the national minimum wage rate as set out in regulation 4 of the National Minimum Wage Regulations 2015 (“the national living wage”) or, where the claimant is a member of a couple, their combined earnings from employment are equal to, or more than, 19 hours per week at the national living wage rate, in both cases converted to a monthly amount by multiplying by 52 and dividing by 12.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c.8) are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

A full impact assessment has not been produced for these Regulations as no, or no significant impact on the private, public or voluntary sectors is foreseen.

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