
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Loans for Mortgage Interest Regulations (Northern Ireland) 2017 (“the 2017 Regulations”).

Regulation 2(2) reduces the length of the qualifying period for universal credit claimants from 9 consecutive assessment periods to 3 consecutive assessment periods.

Regulation 2(3) and 2(5)(a) remove the condition that a universal credit claimant must not have any earnings in order to be eligible to receive loan payments.

Regulation 2(4) provides that a couple is not required to re-serve the qualifying period where one member of the couple is still a state pension credit claimant receiving loan payments when the joint entitlement to universal credit begins, and also where one member of the couple was formerly a state pension credit claimant receiving loan payments, provided their entitlement to universal credit begins within one month of the end of the entitlement to state pension credit. The former is included because termination of the state pension credit entitlement can take place after the joint entitlement to universal credit begins. Regulation 2(4) also operates to ensure that the qualifying period of 3 consecutive assessment periods applies for all other couples which do not fall within the two circumstances specified. Regulation 2(4)(c) inserts a definition of a couple for the purposes of regulation 8 of the 2017 Regulations.

Regulation 2(5)(b) inserts a new paragraph (8) into regulation 9 of the 2017 Regulations providing that, for claimants who return to universal credit within 6 months, and wish to start receiving loan payments, there is no requirement to serve a new qualifying period.

Regulation 2(5)(b) also substitutes a revised paragraph (7) of regulation 9 for the existing paragraph (7) with a view to ensuring that the wording of paragraph (7) is consistent with the wording of the new paragraph (8) of regulation 9.

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 requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

Changes to legislation:

There are currently no known outstanding effects for the The Loans for Mortgage Interest (Amendment) Regulations (Northern Ireland) 2023.