
EXPLANATORY NOTE

(This note is not part of the Order)

This Order preserves the existing protection for certain mixed-age couples (that is couples where one member has reached the qualifying age for state pension credit) when they are issued with a migration notice requiring them to move to universal credit.

Article 2 amends Article 4 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 (“the No. 13 Order”).

Article 3 of the No. 13 Order commenced the provision that excluded entitlement to state pension credit where the claimant’s partner was under the qualifying age for that benefit. Article 4 of that Order contained a saving provision that protected mixed-age couples who were entitled to housing benefit or state pension credit at the time that exclusion came into effect.

Article 2 of this Order allows that saving, which would otherwise cease when a migration notice is issued, to be reinstated when universal credit ends. It also allows the saving to continue where the couple are issued with a migration notice but do not make a claim for universal credit or make a claim but are not entitled.

Changes to legislation:

There are currently no known outstanding effects for the The Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 13 and Savings and Transitional Provisions) (Amendment) Order (Northern Ireland) 2024.