
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 216

The Universal Credit Regulations (Northern Ireland) 2016

PART 1

INTRODUCTION

The Benefit Unit

Couples

3.—(1) A couple may be entitled to universal credit as joint claimants where—

- (a) one member does not meet the basic condition in Article 9(1)(b) of the Order (under the qualifying age for state pension credit) if the other member does meet that condition, or
- (b) one member does not meet the basic condition in Article 9(1)(d) of the Order (not receiving education) and is not excepted from that condition if the other member does meet that condition or is excepted from it.

(2) A person who is a member of a couple may make a claim as a single person if the other member of the couple—

- (a) does not meet the basic condition in Article 9(1)(a) of the Order (at least 18 years old) and is not a person in respect of whom the minimum age specified in regulation 8 applies,
- (b) does not meet the basic condition in Article 9(1)(c) of the Order,
- (c) is a prisoner,
- (d) is a person other than a prisoner in respect of whom entitlement does not arise by virtue of regulation 19 (restrictions on entitlement), or
- (e) is a person to whom section 115 of the Immigration and Asylum Act 1999 ^{M1} (exclusion from benefits) applies,

and regulations 18 (capital), 38 (amounts of elements) and 23 (deduction of income and work allowance) provide for the calculation of the award in such cases.

(3) Where two people are parties to a polygamous marriage, the fact that they are husband and wife is to be disregarded if—

- (a) one of them is a party to an earlier marriage that still subsists, and
- (b) the other party to that earlier marriage is living in the same household,

and, accordingly, the person who is not a party to the earlier marriage may make a claim for universal credit as a single person.

(4) In paragraph (3) “polygamous marriage” means a marriage during which a party to it is married to more than one person and which took place under the laws of a country which permits polygamy.

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Universal Credit Regulations (Northern Ireland) 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

(5) Where the claimant is a member of a couple, and the other member is temporarily absent from the claimant's household, they cease to be treated as a couple if that absence is expected to exceed, or does exceed, 6 months.

Marginal Citations

M1 [1999 c. 33.](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Universal Credit Regulations (Northern Ireland) 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- [reg. 5\(1\)\(c\)](#) inserted by [S.R. 2024/54 reg. 7\(2\)\(b\)](#)