
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 223

The Social Security (Payments on Account of Benefit) Regulations (Northern Ireland) 2016

PART 1

General

Citation and commencement

1.—(1) These Regulations may be cited as the Social Security (Payments on Account of Benefit) Regulations (Northern Ireland) 2016.

(2) The following provisions come into operation on the day appointed for the coming into force of Article 76(1) of the 2015 Order—

- (a) this Part (except the provisions specified in paragraph (3)(a) and (b));
- (b) Part 2 (except the provisions specified in paragraph (3)(c) to (g));
- (c) Part 4.

(3) The following provisions come into operation immediately after the coming into operation of the Universal Credit Regulations—

- (a) in regulation 2(1)—
 - (i) paragraph (a) of the definition of “couple”, and
 - (ii) the definitions of “the UC etc. Claims and Payments Regulations”, “universal credit” and “the Universal Credit Regulations”;
- (b) regulation 2(2) and (3)(b);
- (c) regulation 3(1)(a);
- (d) in regulation 3(2)—
 - (i) paragraph (a) of the definition of “employment and support allowance”, and
 - (ii) paragraph (a) of the definition of “jobseeker’s allowance”;
- (e) regulation 5(3)(b);
- (f) regulation 7(2);
- (g) regulation 8(2); and
- (h) Part 3.

Interpretation

2.—(1) In these Regulations—

“the 2007 Act” means the Welfare Reform (Northern Ireland) Act 2007(1);

“the 2015 Order” means the Welfare Reform (Northern Ireland) Order 2015;

“the Claims and Payments Regulations” means the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(2);

“couple”—

(a) where these Regulations apply in relation to universal credit, has the same meaning as in Article 45 of the 2015 Order;

(b) where these Regulations apply in relation to the benefits specified in regulation 3(1)(b) to (f), has the same meaning as in section 133(1) of the Contributions and Benefits Act(3);

“the Jobseekers Order” means the Jobseekers (Northern Ireland) Order 1995(4);

“partner” means, where the person being referred to is a member of a couple, the other member of the couple;

“the UC etc. Claims and Payments Regulations” means the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations (Northern Ireland) 2016(5);

“universal credit” means the benefit under Part 2 of the 2015 Order;

“the Universal Credit Regulations” means the Universal Credit Regulations (Northern Ireland) 2016(6).

(2) Where these Regulations apply in relation to universal credit “child” and “qualifying young person” have the same meaning as in Article 46 of the 2015 Order and whether or not a person is responsible for a child or qualifying young person is to be determined in accordance with regulation 4 of the Universal Credit Regulations.

(3) In these Regulations “writing” includes writing produced by means of electronic communications and where such communications are used by the Department—

(a) Schedule 8D to the Claims and Payments Regulations(7); or

(b) Schedule 1 to the UC etc. Claims and Payments Regulations,

as the case may be, has effect in connection with notices required to be given or sent under regulations 8 and 17 as it has effect in connection with claims for, and awards of, any benefit to which those Regulations apply.

(4) The Interpretation Act (Northern Ireland) 1954(8) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(2) 1987 No. 465.

(3) The definition of “couple” was inserted by paragraph 99(3) of Schedule 24 to the Civil Partnership Act 2004 (c. 33).

(4) S.R. 1995 No. 2705 (N.I. 15).

(5) S.R. 2016 No. 220.

(6) S.R. 2016 No. 216.

(7) Schedule 8D was inserted by Article 2(4) of S.R. 2006 No. 203 and amended by Article 2(4) of S.R. 2011 No. 298 and Article 2(3) of S.R. 2011 No. 431.

(8) 1954 c. 33 (N.I.).