
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 226

The Universal Credit (Transitional Provisions)
Regulations (Northern Ireland) 2016

PART 2

CHAPTER 2

EFFECT OF TRANSITION TO UNIVERSAL CREDIT

Loss of benefit penalties: reduction of universal credit

37.—(1) Subject to paragraph (6) and to regulation 39, where regulation 36 applies, the amount of a reduction of universal credit in respect of an assessment period is to be calculated by multiplying the daily reduction rate by the number of days in the assessment period, unless paragraph (2) applies.

(2) Where the disqualification period ends during an assessment period, the amount of the reduction for that assessment period is (subject to paragraph (6)) to be calculated by multiplying the daily reduction rate by the number of days in the assessment period which are within the disqualification period.

(3) Subject to paragraphs (4) and (5), the daily reduction rate where regulation 36 applies is an amount which is equal to—

- (a) the monetary amount by which payments in respect of the earlier award were reduced in accordance with section 5B or 6 of the Fraud Act 2001 or, as the case may be, regulation 3, 3ZA(1) or 17 of the Loss of Benefit Regulations 2002 in respect of the last complete week before the relevant date (within the meaning of regulation 36);
- (b) multiplied by 52;
- (c) divided by 365; and
- (d) rounded down to the nearest 10 pence.

(4) Where the monetary amount by which payments in respect of the earlier award would have been reduced would, if the claimant had remained entitled to the earlier award, have changed during the disqualification period because of an order made under section 132 of the Social Security Administration (Northern Ireland) Act 1992 (annual up-rating of benefits)—

- (a) the daily reduction rate is to be calculated in accordance with paragraph (3), but on the basis of the new amount by which payments would have been reduced; and
- (b) any adjustment to the reduction of universal credit is to take effect from the first day of the first assessment period to start after the date of the change.

(5) Where the earlier award was a joint-claim jobseeker's allowance, the daily reduction rate is an amount which is equal to—

- (a) the amount of the standard allowance⁽²⁾ applicable to the joint claimants under regulation 38 of the Universal Credit Regulations (table showing amounts of elements);
 - (b) multiplied by 12;
 - (c) divided by 365;
 - (d) reduced by 60%; and
 - (e) rounded down to the nearest 10 pence.
- (6) The amount of the reduction under this regulation in respect of any assessment period is not to exceed the amount of the standard allowance which is applicable to the claimant in respect of that period.

(2) See Article 14 of the Order.