
STATUTORY RULES OF NORTHERN IRELAND

2018 No. 92

The Universal Credit (Persons Required to Provide Information, Miscellaneous Amendments and Saving and Transitional Provision) Regulations (Northern Ireland) 2018

Amendment to the Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016

9.—(1) The Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016⁽¹⁾ are amended in accordance with paragraphs (2) to (10).

(2) In regulation 2(1) (interpretation) after the definition of “tax credit” insert—

““temporary accommodation” means accommodation which falls within Case 1 or Case 2 under paragraph 4A of Schedule 1 to the Universal Credit Regulations.”.

(3) In regulation 3(2)(a) (exclusion of entitlement to certain benefits) after “specified accommodation” insert “, temporary accommodation or where regulation 6(2A) applies”.

(4) After regulation 3 insert—

“Entitlement to universal credit and housing benefit: universal credit work allowance

3A. Where a claimant has an award of universal credit and, in any assessment period, is also entitled to housing benefit for temporary accommodation and the award of universal credit does not include an amount for housing costs, regulation 23(2) of the Universal Credit Regulations (amount of the work allowance) is to apply in relation to that assessment period as if the award did not include an amount for housing costs.”.

(5) In each of the following regulations after “specified accommodation” insert “or temporary accommodation”—

(a) regulation 4(8) (exclusion of claims for certain existing benefits); and

(b) regulation 5(5)(a) (termination of awards: new claimant partners).

(6) In regulation 6 (termination of awards of existing benefits: other claimants)—

(a) in paragraph (2)—

(i) for “where this paragraph applies” substitute “where this regulation applies”; and

(ii) after “housing benefit” insert “in the form of a rate rebate awarded in accordance with regulation 12 of the Housing Benefit Regulations or regulation 12 of the Housing Benefit (SPC) Regulations”;

(b) after paragraph (2) insert—

“(2A) Subject to paragraph (3), where this regulation applies, an award of housing benefit, in the form of a rent rebate or allowance awarded in connection with regulation 13 of the Housing Benefit Regulations or regulation 13 of the Housing Benefit (SPC) Regulations, to which the claimant is entitled on the day mentioned in

paragraph (2)(a) or (b) terminates on the last day of the period of 2 weeks beginning with the day after that day (whether or not the person is also entitled to an award of income support or a tax credit).”; and

(c) in paragraph (3) after “specified accommodation” insert “or temporary accommodation”.

(7) after regulation 6 insert—

“Transitional housing payment

6A. Where an award of housing benefit terminates under regulation 6—

(a) the claimant is to be treated for the purposes of the Housing Benefit Regulations as entitled to universal credit during the period of 2 weeks mentioned in regulation 6(2A), even if no decision has been made on the claim; and

(b) if a claim for universal credit is made and the claimant moves to new accommodation occupied as the claimant’s home, then, notwithstanding anything in the Housing Benefit Regulations, housing benefit is to be paid directly to the claimant during the period of 2 weeks mentioned in regulation 6(2A).”.

(8) In regulation 9 (ongoing awards of tax credits)—

(a) in paragraph (2)—

(i) at the end of sub-paragraph (c) omit “or”, and

(ii) after paragraph (c) insert—

“(ca) a final notice has been given and the person made a declaration in response to a requirement included in that notice by virtue of section 17(2)(a), (4)(a) or (6)(a) of the Tax Credits Act 2002, or any combination of those provisions—

(i) by the date specified on the final notice,

(ii) if not in accordance with paragraph (i), within 30 days following the date on the notice to the person that payments of tax credits under section 24(4) of the Tax Credits Act 2002 have ceased due to the person’s failure to make the declaration by the date specified in the final notice, or

(iii) if not in accordance with paragraph (i) or (ii), before 31 January in the tax year following the period to which the final notice relates and, in the opinion of Her Majesty’s Revenue and Customs, the person had good reason for not making the declaration in accordance with paragraph (i) or (ii); or”.

(9) In regulation 13 (appeals etc. relating to universal credit) —

(a) in paragraph (2)(b) after “legislative provision” insert “except regulation 6(2A)”; and

(b) in paragraph (3) after “specified accommodation” insert “or temporary accommodation”.

(10) Omit regulation 16 (waiting days).