
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 226

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

PART 1

Introductory

Citation and commencement

1. These Regulations may be cited as the Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016 and come into operation immediately after the coming into operation of the Universal Credit Regulations.

Commencement Information

11 Reg. 1 in operation at 5.5.2016, see [reg. 1](#)

Interpretation

2.—(1) In these Regulations—

“the Claims and Payments Regulations 1987” means the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987⁽¹⁾;

“the Jobseekers Order 1995” means the Jobseekers (Northern Ireland) Order 1995⁽²⁾;

“the JSA Regulations 1996” means the Jobseeker’s Allowance Regulations (Northern Ireland) 1996⁽³⁾;

“the Social Security Order 1998” means the Social Security (Northern Ireland) Order 1998⁽⁴⁾;

“the Housing Benefit Regulations” means the Housing Benefit Regulations (Northern Ireland) 2006⁽⁵⁾;

“the Housing Benefit (State Pension Credit) Regulations” means the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006⁽⁶⁾;

“the 2007 Act” means the Welfare Reform Act (Northern Ireland) 2007⁽⁷⁾;

(1) S.R. 1987 No. 465.
(2) S.I. 1995/2705 (N.I. 15).
(3) S.R. 1996 No. 198.
(4) S.I. 1998/1506 (N.I. 10).
(5) S.R. 2006 No. 405.
(6) S.R. 2006 No. 406.
(7) 2007 c. 2 (N.I.).

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Universal Credit (Transitional Provisions) 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](#)

“the ESA Regulations 2008” means the Employment and Support Allowance Regulations (Northern Ireland) 2008⁽⁸⁾;

“the ESA (Transitional Provisions) Regulations 2010” means the Employment and Support Allowance (Transitional Provisions and Housing Benefit) (Existing Awards) Regulations (Northern Ireland) 2010⁽⁹⁾;

“the 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⁽¹⁰⁾;

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

“the Universal Credit Regulations” means the Universal Credit Regulations (Northern Ireland) 2016⁽¹¹⁾;

“Appeal Tribunal” has the same meaning as in Article 39 of the Social Security Order 1998;

“assessment period” has the same meaning as in regulation 22 of the Universal Credit Regulations;

“capital” has the same meaning as in Part 6 of the Universal Credit Regulations;

“Commissioner” has the same meaning as in the Social Security Order 1998;

“couple” has the same meaning as it has in Article 45 of the Order;

“claimant” in relation to an employment and support allowance or a jobseeker’s allowance, has the same meaning as in Part 1 of the 2007 Act and the Jobseekers Order 1995 (as it applies apart from the amendments made by Part 1 of Schedule 12 to the Order that remove references to an income-based jobseeker’s allowance) respectively and, in relation to universal credit, has the same meaning as in Part 1 of the Order;

“existing benefit” means income-based jobseeker’s allowance, income-related employment and support allowance, income support, housing benefit and child tax credit and working tax credit under the Tax Credits Act 2002⁽¹²⁾ but see also regulation 26(2);

“housing benefit” means housing benefit under section 129 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992;

“income-based jobseeker’s allowance” has the same meaning as in Article 3(4) of the Jobseekers Order 1995;

“income-related employment and support allowance” means an income-related allowance under section 1(7) in Part 1 of the 2007 Act;

“income support” means income support under section 123 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992;

“joint-claim jobseeker’s allowance” means old style JSA, entitlement to which arises by virtue of Article 3(2B) of the Jobseekers Order 1995⁽¹³⁾;

“joint claimants” in relation to universal credit has the same meaning as in Part 2 of the Order;

“new claimant partner” has the meaning given in regulation 5;

“new style ESA” means an allowance under Part 1 of the 2007 Act as amended by Schedule 3, and Part 1 of Schedule 12, to the Order to remove references to an income-related allowance;

⁽⁸⁾ [S.R. 2008 No. 280](#).

⁽⁹⁾ [S.R. 2010 No. 312](#).

⁽¹⁰⁾ [S.R. 2016 No. 220](#).

⁽¹¹⁾ [S.R. 2016 No. 216](#).

⁽¹²⁾ [2002 c. 21](#).

⁽¹³⁾ Subsection (2B) was inserted by paragraph 3(3) of Schedule 7 to the Welfare Reform and Pensions (Northern Ireland) Order 1999 ([S.I. 1999/3147 \(N.I. 11\)](#)) and repealed by Part 1 of Schedule 12 to the Order.

“new style JSA” means an allowance under the Jobseekers Order 1995 as amended by Part 1 of Schedule 12, to the Order to remove references to an income-based allowance;

“old style ESA” means an employment and support allowance under Part 1 of the 2007 Act as that Part has effect apart from the amendments made by Schedule 3, and Part 1 of Schedule 12, to the Order that remove references to an income-related allowance;

“old style JSA” means a jobseeker’s allowance under the Jobseekers Order 1995 as that Order has effect apart from the amendments made by Part 1 of Schedule 12 to the Order that remove references to an income-based allowance;

“partner” in relation to a person (“A”) means a person who forms part of a couple with A⁽¹⁴⁾;

“personal independence payment” means an allowance under Part 5 of the Order;

“specified accommodation” means accommodation to which one or more of sub-paragraphs (2) to (5) of paragraph 4 of Schedule 1 to the Universal Credit Regulations applies;

“tax credit” (including “child tax credit” and “working tax credit”), “tax credits” and “tax year” have the same meaning as in the Tax Credits Act 2002.

(2) For the purposes of these Regulations—

- (a) the date on which a claim for universal credit is made is to be determined in accordance with regulation 9 of the Claims and Payments Regulations;
- (b) where a couple is treated, in accordance with regulation 8(8) of the Claims and Payments Regulations, as having made a claim for universal credit, references to the date on which the claim is treated as made are to the date of formation of the couple;
- (c) where a regulation refers to entitlement to an existing benefit on the date on which a claim for universal credit is made or treated as made, such entitlement is to be taken into account notwithstanding the effect of regulations 3, 5 and 6 or termination of an award of the benefit before that date by virtue of an order made under Article 2 of the Order;
- (d) notwithstanding section 39(2) of the Interpretation Act (Northern Ireland) 1954⁽¹⁵⁾, where a period of time is expressed to begin on, or to be reckoned from, a particular day, that day shall be included in the period.

Commencement Information

I2 Reg. 2 in operation at 5.5.2016, see [reg. 1](#)

⁽¹⁴⁾ See Article 46 of the 2015 Order for the meaning of “couple”.

⁽¹⁵⁾ 1954 c. 33 (N.I.).

Changes to legislation:

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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):

- Pt. 2 Ch. A1 inserted by [S.R. 2017/116 reg. 12\(2\)](#)
- Pt. 3 inserted by [S.R. 2017/79 reg. 3\(3\)](#)
- Pt. 4 added by [S.R. 2019/152 reg. 2\(8\)](#)
- Sch. 1 Sch. renumbered as Sch. 1 by [S.R. 2019/152 reg. 2\(9\)](#)
- Sch. 1 para. 2(b) omitted by [S.R. 2023/93 reg. 4\(6\)\(a\)](#)
- Sch. 1 para. 25(a) omitted by [S.R. 2023/93 reg. 4\(6\)\(b\)](#)
- Sch. 1 para. 26(b) omitted by [S.R. 2023/93 reg. 4\(6\)\(c\)](#)
- Sch. 1 para. 27(b) omitted by [S.R. 2023/93 reg. 4\(6\)\(d\)](#)
- Sch. 2 para. 8(1) Sch. 2 para. 8 renumbered as Sch.2 para. 8(1) by [S.R. 2023/93 reg. 4\(7\)\(b\)](#)
- Sch. 2 inserted by [S.R. 2019/152 reg. 2\(10\)](#)
- Sch. 2 para. 8(2) inserted by [S.R. 2023/93 reg. 4\(7\)\(b\)](#)
- Sch. 2 para. 9 inserted by [S.R. 2023/93 reg. 4\(7\)\(c\)](#)
- Sch. 2 para. 8(3) inserted by [S.I. 2023/1218 art. 52\(b\)](#)
- Sch. 2 substituted by [S.R. 2021/2 reg. 2](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/145 reg. 7\(1\)\(a\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/145 reg. 7\(1\)\(b\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/145 reg. 7\(1\)\(c\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/151 reg. 7\(1\)\(a\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/151 reg. 7\(1\)\(b\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/151 reg. 7\(1\)\(c\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/45 reg. 7\(1\)\(a\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/45 reg. 7\(1\)\(b\)](#)
- Sch. 2 para. 5 sum substituted by [S.R. 2023/45 reg. 7\(1\)\(c\)](#)
- Sch. 2 para. 8(2) words inserted by [S.I. 2023/1218 art. 52\(a\)](#)
- Sch. 2 para. 5(b)(i) words substituted by [S.R. 2023/93 reg. 4\(7\)\(a\)](#)
- reg. 2(3)(4) inserted by [S.R. 2019/152 reg. 2\(2\)\(b\)](#)
- reg. 2(4) words omitted by [S.R. 2022/194 Sch. para. 1\(2\)](#)
- reg. 2A revoked by [S.R. 2022/194 reg. 2](#)
- reg. 2B inserted by [S.R. 2019/2 reg. 2\(3\)](#)
- reg. 2B revoked by [S.R. 2019/152 reg. 6](#)
- reg. 2B(1) reg. 2B renumbered as reg. 2B(1) by [S.R. 2019/152 reg. 2\(3\)](#)
- reg. 2B(2) added by [S.R. 2019/152 reg. 2\(3\)](#)
- reg. 3(2)(a)(ab) substituted for reg. 3(2)(a) by [S.R. 2019/152 reg. 3\(2\)](#)
- reg. 3(2)(b)(iv)(c) and word added by [S.R. 2020/119 reg. 6\(3\)\(d\)](#)
- reg. 3(2)(ab) words substituted by [S.R. 2022/194 Sch. para. 1\(3\)](#)
- reg. 3A inserted by [S.R. 2018/92 reg. 9\(4\)](#)
- reg. 3A word omitted by [S.R. 2018/187 reg. 4\(2\)](#)
- reg. 4(8A) inserted by [S.R. 2020/119 reg. 6\(4\)](#)
- reg. 4A inserted by [S.R. 2022/194 reg. 4](#)
- reg. 5(5)(c) and word added by [S.R. 2020/119 reg. 6\(5\)\(b\)](#)
- reg. 6(2A) inserted by [S.R. 2018/92 reg. 9\(6\)\(b\)](#)
- reg. 6(2A) words inserted by [S.R. 2019/152 reg. 3\(3\)\(b\)](#)
- reg. 6(2A) words omitted by [S.R. 2019/152 reg. 3\(3\)\(b\)](#)
- reg. 6(2B) inserted by [S.R. 2022/194 reg. 5\(3\)\(c\)](#)
- reg. 6A inserted by [S.R. 2018/92 reg. 9\(7\)](#)

- reg. 6A words inserted by S.R. 2019/152 reg. 2(5)(a)
- reg. 6A words substituted by S.R. 2022/194 Sch. para. 1(4)
- reg. 6A(a) word omitted by S.R. 2019/152 reg. 2(5)(c)
- reg. 6A(a) words inserted by S.R. 2019/152 reg. 2(5)(b)
- reg. 6A(a) words substituted by S.R. 2022/194 Sch. para. 1(4)
- reg. 6A(b) words inserted by S.R. 2019/152 reg. 2(5)(b)
- reg. 6A(b) words substituted by S.R. 2022/194 Sch. para. 1(4)
- reg. 6A(c) and word inserted by S.R. 2019/152 reg. 2(5)(d)
- reg. 6B inserted by S.R. 2019/152 reg. 3(4)
- reg. 6B words substituted by S.R. 2022/194 Sch. para. 1(5)
- reg. 8A inserted by S.R. 2018/187 reg. 4(3)
- reg. 8A(1) words inserted by S.R. 2019/195 reg. 9(2)(a)(i)
- reg. 8A(1)(d) words inserted by S.R. 2019/195 reg. 9(2)(a)(ii)
- reg. 8A(3) added by S.R. 2019/195 reg. 9(2)(b)
- reg. 8B inserted by S.R. 2019/195 reg. 9(3)
- reg. 8C inserted by S.R. 2020/108 reg. 9
- reg. 9(2)(ca) inserted by S.R. 2018/92 reg. 9(8)(a)(ii)
- reg. 19(2)(c) and words substituted for words in reg. 19(2)(b) by S.R. 2021/303 reg. 3(a)
- reg. 19(4)(c) and words substituted for words in reg. 19(4)(b) by S.R. 2021/303 reg. 3(b)(ii)
- reg. 19(10) added by S.R. 2017/146 reg. 3(2)(h)
- reg. 33(4)-(8) added by S.R. 2017/116 reg. 12(6)(c)
- reg. 40 omitted by S.R. 2019/3 reg. 3(2)
- reg. 41 omitted by S.R. 2019/3 reg. 3(3)
- reg. 45(5)(a) word inserted by S.R. 2022/194 Sch. para. 1(7)(a)
- reg. 45(5)(b) omitted by S.R. 2022/194 Sch. para. 1(7)(b)
- reg. 45(7) revoked by S.R. 2022/194 reg. 6
- reg. 47(1)(a) words inserted by S.R. 2019/152 reg. 3(5)(a)
- reg. 47(1)(a) words inserted by S.R. 2022/194 reg. 7
- reg. 47(1)(b) words inserted by S.R. 2023/93 reg. 4(4)
- reg. 47(1)(b) words substituted by S.R. 2019/152 reg. 3(5)(b)
- reg. 47(5) omitted by S.R. 2022/194 Sch. para. 1(8)
- reg. 48 revoked by S.R. 2022/194 reg. 8(1)
- reg. 48(2)(a) words inserted by S.R. 2019/152 reg. 3(6)(a)
- reg. 48(2)(b) words substituted by S.R. 2019/152 reg. 3(6)(b)
- reg. 51(2) words substituted by S.R. 2022/194 reg. 8(2)
- reg. 54(7) words inserted by S.R. 2022/194 reg. 9(2)
- reg. 54(10) words substituted by S.R. 2023/93 reg. 4(5)
- reg. 54(11)(a) words inserted by S.R. 2022/194 reg. 9(2)(a)
- reg. 56(4) words inserted by S.R. 2022/194 reg. 10(2)
- reg. 56(5)(6) inserted by S.R. 2022/194 reg. 10(3)
- reg. 57(3) substituted by S.R. 2023/3 reg. 3
- reg. 59 words omitted by S.R. 2022/194 Sch. para. 1(9)
- reg. 60 revoked by S.R. 2019/152 reg. 5(2)
- reg. 61(1) reg. 61 renumbered as reg. 61(1) by S.R. 2022/194 reg. 11
- reg. 61(2) inserted by S.R. 2022/194 reg. 11
- reg. 65 revoked by S.R. 2022/194 reg. 12