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STATUTORY RULES OF NORTHERN IRELAND

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**2018 No. 187**

**The Universal Credit and Jobseeker's Allowance (Miscellaneous Amendments) Regulations (Northern Ireland) 2018**

**Amendments to the Universal Credit Regulations (Northern Ireland) 2016**

**3.**—(1) The Universal Credit Regulations (Northern Ireland) 2016<sup>(1)</sup> are amended in accordance with paragraphs (2) to (8).

(2) In regulation 7(2)<sup>(2)</sup> (rounding), omit paragraph (c) and the “and” preceding it.

(3) In regulation 25A<sup>(3)</sup> (availability of the child element where maximum exceeded)—

(a) in paragraph (1)—

(i) before sub-paragraph (a), insert—

“(za) any child or qualifying young person to whom an exception applies in the circumstances set out in—

(i) paragraph 3 (adoptions) or paragraph 4 (non-parental caring arrangements) of Schedule 12; or

(ii) paragraph 6 of Schedule 12 (continuation of existing exception in a subsequent award) by virtue of an exception under paragraph 3 of that Schedule having applied in relation to a previous award;”;

(ii) in sub-paragraph (b)(ii), after “person” insert “in the circumstances set out in paragraph 2 (multiple births), paragraph 5 (non-consensual conception) or, except where sub-paragraph (za) applies, paragraph 6 (continuation of existing exception in a subsequent award) of Schedule 12”; and

(b) omit paragraph (4).

(4) In regulation 25B<sup>(4)</sup> (order of children and qualifying young persons)—

(a) in paragraph (1)—

(i) for “paragraph (2)” substitute “paragraphs (2) and (2A)”, and

(ii) for “the following date” to the end of paragraph (1)(b) substitute “the date of birth of each child or qualifying young person for whom the claimant is responsible, taking the earliest date first.”;

(b) omit paragraph (2)(b) and the “or” preceding it; and

(c) after paragraph (2) insert —

“(2A) Any child or qualifying young person to whom regulation 25A(1)(za) applies is to be disregarded when determining the order of children and qualifying young persons under this regulation.”.

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(1) [S.R. 2016 No.216](#).

(2) Regulation 7(2) was amended by Regulation 2(2) of [S.R. 2017 No. 142](#).

(3) Regulation 25A was inserted by regulation 2(3) of [S.R. 2017 No.79](#).

(4) Regulation 25B was inserted by regulation 2(3) of [S.R. 2017 No.79](#).

(5) In regulation 53(2)(b) (calculation of earned income – general principles) for “unearned” substitute “earned”.

(6) In regulation 54(6) (surplus earnings) in the definition “the old award” for “11th April 2018” substitute “8th May 2018”.

(7) In regulation 77(5) (company analogous to a partnership or one person business), for “or Chapter 9” to the end, substitute “, Chapter 9 (managed service companies) or Chapter 10 (workers’ services provided to public sector through intermediaries) of Part 2 of ITEPA and that income is derived from activities that are the person’s main employment”.

(8) In Schedule 4(5) (housing cost element for renters)—

(a) in the heading of Part 2 (exceptions to the inclusion of housing costs element), for “Exceptions” substitute “Exception”;

(b) omit paragraphs 4A to 4C; and

(c) in paragraph 28—

(i) in sub-paragraph (1), for “(5)” substitute “(5A)”;

(ii) after sub-paragraph (5) insert—

“(5A) E is under 35 years old and satisfies the foster carer condition (within the meaning of paragraph 11(4)).”.