
STATUTORY RULES OF NORTHERN IRELAND

2020 No. 130

The Universal Credit (Persons of Northern Ireland - Family Members) (Amendment) Regulations (Northern Ireland) 2020

Amendment of the Universal Credit Regulations (Northern Ireland) 2016

2.—(1) The Universal Credit Regulations (Northern Ireland) 2016⁽¹⁾ are amended in accordance with paragraph (2).

(2) In regulation 9 (persons treated as not being in Northern Ireland)⁽²⁾—

(a) after paragraph (3) insert—

“(3A) Paragraph (3)(d)(i) does not apply to a person who—

(a) has a right to reside granted by virtue of being a family member of a relevant person of Northern Ireland; and

(b) would have a right to reside under the EEA Regulations⁽³⁾ if the relevant person of Northern Ireland were an EEA national, provided that the right to reside does not fall within paragraph (3)(a) or (c)”;

(b) in paragraph (4)(b) omit the words “within the meaning of regulation 7(1)(a), (b) or (c) of the EEA Regulations”;

(c) after paragraph (4)(c) insert—

“(ca) a family member of a relevant person of Northern Ireland, with a right to reside which falls within paragraph (3)(d)(i), provided that the relevant person of Northern Ireland falls within paragraph (4)(a), or would do so but for the fact that they are not an EEA national.”;

(d) after paragraph (4) add—

“(5) In this regulation—

“EEA national” has the same meaning given in regulation 2(1) of the EEA Regulations,

“family member” has the meaning given in regulation 7(1)(a), (b) or (c) of the EEA Regulations, except that regulation 7(4) does not apply for the purposes of paragraphs (3A) and (4)(ca),

“relevant person of Northern Ireland” has the meaning given in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971⁽⁴⁾.”.

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

(2) Regulation 9 was amended by S.R. 2019 No. 89.

(3) S.I. 2016/1052

(4) 1971 c. 77.