

2015 No. 2006 (N.I. 1)

Welfare Reform (Northern Ireland) Order 2015

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Made - - - - 9th December 2015

Coming into force in accordance with Article 2

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SCHEDULES

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At the Court at Buckingham Palace, the 9th day of December 2015

Present,

The Queen's Most Excellent Majesty in Council

A draft of this Order has been approved by a resolution of each House of Parliament.

Her Majesty, in exercise of the powers conferred by section 1 of the Northern Ireland (Welfare Reform) Act 2015 (c. 34), is pleased, by and with the advice of Her Privy Council, to order as follows:—

PART 1

General

Citation

1. This Order may be cited as the Welfare Reform (Northern Ireland) Order 2015.

Commencement

2.—(1) Part 1 comes into force on the day after the day on which this Order is made.

(2) The remaining provisions of this Order come into force on such day or days as the Department may by order appoint.

(3) An order under paragraph (2) may appoint different days for different areas in relation to—

(a) any provision of Part 2 (universal credit) or of Part 1 of Schedule 12;

(b)

(c)

(4) An order under paragraph (2) may make such transitory or transitional provision, or savings, as the Department considers necessary or expedient.

Extent

3.—(1) This Order extends to Northern Ireland, subject to paragraph (2).

(2) An amendment, repeal or revocation by this Order has the same extent as the provision to which it relates.

Transitory provision

4.—(1) Until such date as the Secretary of State may by order made by statutory instrument appoint, a function conferred on a Northern Ireland department to make regulations or an order under—

(a) this Order, is to be exercised by the Secretary of State rather than by the Northern Ireland department;

(b) any other statutory provision relating to social security or child support maintenance in Northern Ireland, may be exercised by the Secretary of State (as

well as by the Northern Ireland department otherwise entitled to exercise the function).

(2) Paragraph (1)(a) does not apply to regulations under Article 135 (discretionary support) or 137 (payments to persons suffering financial disadvantage).

(3) The following requirements do not apply to regulations or an order made by the Secretary of State by virtue of paragraph (1)(a) or (b).

(4) The requirements are —

- (a) the regulations are, or the order is, subject to negative resolution or affirmative resolution;
- (b) the regulations are, or the order is, subject to the confirmatory procedure (as defined in Article 49(5));
- (c) the regulations or order may not be made unless a draft has been laid before, and approved by a resolution of, the Assembly;
- (d) the regulations are, or the order is, to be made with the consent or approval of, or in conjunction with, a Northern Ireland department.

(5) Statutory rules made by the Secretary of State by virtue of paragraph (1)(a) or (b) are subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument; and section 5 of the Statutory Instruments Act 1946 applies accordingly.

(6) Sub-paragraph (5) does not apply to an order under Article 2(2).

(7) A statutory instrument which contains an order under paragraph (1) is subject to annulment in pursuance of a resolution of either House of Parliament.

(8) An order made by statutory instrument under paragraph (1) may contain consequential provisions, transitional or transitory provisions or savings.

General interpretation

5. In this Order—

“the Administration Act” means the Social Security Administration (Northern Ireland) Act 1992;

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits (Northern Ireland) Act 1992;

“the Department” means the Department for Social Development;

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

“prescribed” means prescribed by regulations;

“regulations” means regulations made by the Department;

“statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954.

PART 2

Universal credit

CHAPTER 1

Entitlement and awards

Introductory

Universal credit

- 6.**—(1) A benefit known as universal credit is payable in accordance with this Part.
- (2) Universal credit may, subject as follows, be awarded to—
- (a) an individual who is not a member of a couple (a “single person”), or
 - (b) members of a couple jointly.
- (3) An award of universal credit is, subject as follows, calculated by reference to—
- (a) a standard allowance,
 - (b) an amount for responsibility for children or young persons,
 - (c) an amount for housing, and
 - (d) amounts for other particular needs or circumstances.

Claims

- 7.**—(1) A claim may be made for universal credit by—
- (a) a single person, or
 - (b) members of a couple jointly.
- (2) Regulations may specify circumstances in which a member of a couple may make a claim as a single person.

Entitlement

Entitlement

- 8.**—(1) A single claimant is entitled to universal credit if the claimant meets—
- (a) the basic conditions, and
 - (b) the financial conditions for a single claimant.
- (2) Joint claimants are jointly entitled to universal credit if—
- (a) each of them meets the basic conditions, and
 - (b) they meet the financial conditions for joint claimants.

Basic conditions

- 9.**—(1) For the purposes of Article 8, a person meets the basic conditions who—
- (a) is at least 18 years old,
 - (b) has not reached the qualifying age for state pension credit,
 - (c) is in Northern Ireland,
 - (d) is not receiving education, and
 - (e) has accepted a claimant commitment.

(2) Regulations may provide for exceptions to the requirement to meet any of the basic conditions (and, for joint claimants, may provide for an exception for one or both).

(3) For the basic condition in paragraph (1)(a) regulations may specify a different minimum age for prescribed cases.

(4) For the basic condition in paragraph (1)(b) the qualifying age for state pension credit is that referred to in section 1(6) of the State Pension Credit Act (Northern Ireland) 2002.

(5) For the basic condition in paragraph (1)(c) regulations may—

- (a) specify circumstances in which a person is to be treated as being or not being in Northern Ireland;
- (b) specify circumstances in which temporary absence from Northern Ireland is disregarded;
- (c) modify the application of this Part in relation to a person not in Northern Ireland who is by virtue of sub-paragraph (b) entitled to universal credit.

(6) For the basic condition in paragraph (1)(d) regulations may—

- (a) specify what “receiving education” means;
- (b) specify circumstances in which a person is to be treated as receiving or not receiving education.

(7) For the basic condition in paragraph (1)(e) regulations may specify circumstances in which a person is to be treated as having accepted or not accepted a claimant commitment.

Financial conditions

10.—(1) For the purposes of Article 8, the financial conditions for a single claimant are that—

- (a) the claimant’s capital, or a prescribed part of it, is not greater than a prescribed amount, and
- (b) the claimant’s income is such that, if the claimant were entitled to universal credit, the amount payable would not be less than any prescribed minimum.

(2) For those purposes, the financial conditions for joint claimants are that—

- (a) their combined capital, or a prescribed part of it, is not greater than a prescribed amount, and
- (b) their combined income is such that, if they were entitled to universal credit, the amount payable would not be less than any prescribed minimum.

Restrictions on entitlement

11.—(1) Entitlement to universal credit does not arise—

- (a) in prescribed circumstances (even though the requirements in Article 8 are met);
- (b) if the requirements in Article 8 are met for a period shorter than a prescribed period;
- (c) for a prescribed period at the beginning of a period during which those requirements are met.

(2) A period prescribed under paragraph (1)(b) or (c) may not exceed 7 days.

(3) Regulations may provide for exceptions to paragraph (1)(b) or (c).

Awards

Basis of awards

12.—(1) Universal credit is payable in respect of each complete assessment period within a period of entitlement.

(2) In this Part an “assessment period” is a period of a prescribed duration.

(3) Regulations may make provision—

(a) about when an assessment period is to start;

(b) for universal credit to be payable in respect of a period shorter than an assessment period;

(c) about the amount payable in respect of a period shorter than an assessment period.

(4) In paragraph (1) “period of entitlement” means a period during which entitlement to universal credit subsists.

Calculation of awards

13.—(1) The amount of an award of universal credit is to be the balance of—

(a) the maximum amount (see paragraph (2)), less

(b) the amounts to be deducted (see paragraph (3)).

(2) The maximum amount is the total of—

(a) any amount included under Article 14 (standard allowance),

(b) any amount included under Article 15 (responsibility for children and young persons),

(c) any amount included under Article 16 (housing costs), and

(d) any amount included under Article 17 (other particular needs or circumstances).

(3) The amounts to be deducted are—

(a) an amount in respect of earned income calculated in the prescribed manner (which may include multiplying some or all earned income by a prescribed percentage), and

(b) an amount in respect of unearned income calculated in the prescribed manner (which may include multiplying some or all unearned income by a prescribed percentage).

(4) In paragraph (3)(a) and (b) the references to income are—

(a) in the case of a single claimant, to income of the claimant, and

(b) in the case of joint claimants, to combined income of the claimants.

Elements of an award

Standard allowance

14.—(1) The calculation of an award of universal credit is to include an amount by way of an allowance for—

(a) a single claimant, or

- (b) joint claimants.
- (2) Regulations are to specify the amount to be included under paragraph (1).
- (3) Regulations may provide for exceptions to paragraph (1).

Responsibility for children and young persons

15.—(1) The calculation of an award of universal credit is to include an amount for each child or qualifying young person for whom a claimant is responsible.

▶¹(1A) But the amount mentioned in paragraph (1) is to be available in respect of a maximum of two persons who are either children or qualifying young persons for whom a claimant is responsible.◀

(2) Regulations may make provision for the inclusion of an additional amount ▶²for each◀ child or qualifying young person ▶³for whom a claimant is responsible who◀ is disabled.

(3) Regulations are to specify, or provide for the calculation of, amounts to be included under paragraph (1) or (2).

(4) Regulations may provide for exceptions to paragraph (1) ▶⁴ or (1A)◀.

(5) In this Part, “qualifying young person” means a person of a prescribed description.

Housing costs

16.—(1) The calculation of an award of universal credit is to include an amount in respect of any liability of a claimant to make payments in respect of the accommodation the claimant occupies as his or her home.

(2) For the purposes of paragraph (1)—

- (a) the accommodation must be in Northern Ireland;
- (b) the accommodation must be residential accommodation;
- (c) it is immaterial whether the accommodation consists of the whole or part of a building and whether or not it comprises separate and self-contained premises.

(3) Regulations may make provision as to—

- (a) what is meant by payments in respect of accommodation for the purposes of this Article ▶⁵◀;
- (b) circumstances in which a claimant is to be treated as liable or not liable to make such payments;
- (c) circumstances in which a claimant is to be treated as occupying or not occupying accommodation as his or her home (and, in particular, for temporary absences to be disregarded);
- (d) circumstances in which land used for the purposes of any accommodation is to be treated as included in the accommodation.

(4) Regulations are to provide for the determination or calculation of any amount to be included under this Article.

(5) Regulations may—


- (a) provide for exceptions to paragraph (1);
- (b) provide for inclusion of an amount under this Article in the calculation of an award of universal credit—

- (i) to end at a prescribed time, or
- (ii) not to start until a prescribed time.

Other particular needs or circumstances

17.—(1) The calculation of an award of universal credit is to include amounts in respect of such particular needs or circumstances of a claimant as may be prescribed.

(2) The needs or circumstances prescribed under paragraph (1) may include—

- (a) 64
- (b) the fact that a claimant has limited capability for work and work-related activity;
- (c) the fact that a claimant has regular and substantial caring responsibilities for a severely disabled person.

(3) Regulations are to specify, or provide for the determination or calculation of, any amount to be included under paragraph (1).

(4) Regulations may—

- (a) provide for inclusion of an amount under this Article in the calculation of an award of universal credit—
 - (i) to end at a prescribed time, or
 - (ii) not to start until a prescribed time;
- (b) provide for the manner in which a claimant's needs or circumstances are to be determined.

CHAPTER 2

Claimant responsibilities

Introductory

Work-related requirements: introductory

18.—(1) This Chapter provides for the Department to impose work-related requirements with which claimants must comply for the purposes of this Part.

(2) In this Part “work-related requirement” means—

- (a) a work-focused interview requirement (see Article 20);
- (b) a work preparation requirement (see Article 21);
- (c) a work search requirement (see Article 22);
- (d) a work availability requirement (see Article 23).

(3) The work-related requirements which may be imposed on a claimant depend on which of the following groups the claimant falls into—

- (a) no work-related requirements (see Article 24);
- (b) work-focused interview requirement only (see Article 25);
- (c) work-focused interview and work preparation requirements only (see Article 26);
- (d) all work-related requirements (see Article 27).

Claimant commitment

19.—(1) A claimant commitment is a record of a claimant’s responsibilities in relation to an award of universal credit.

(2) A claimant commitment is to be prepared by the Department and may be reviewed and updated as the Department thinks fit.

(3) A claimant commitment is to be in such form as the Department thinks fit.

(4) A claimant commitment is to include—

(a) a record of the requirements that the claimant must comply with under this Part (or such of them as the Department considers it appropriate to include),

(b) any prescribed information, and

(c) any other information the Department considers it appropriate to include.

(5) For the purposes of this Part a claimant accepts a claimant commitment if, and only if, the claimant accepts the most up-to-date version of it in such manner as may be prescribed.

Work-related requirements

Work-focused interview requirement

20.—(1) In this Part a “work-focused interview requirement” is a requirement that a claimant participate in one or more work-focused interviews as specified by the Department.

(2) A work-focused interview is an interview for prescribed purposes relating to work or work preparation.

(3) The purposes which may be prescribed under paragraph (2) include in particular that of making it more likely in the opinion of the Department that the claimant will obtain paid work (or more paid work or better-paid work).

(4) The Department may specify how, when and where a work-focused interview is to take place.

Work preparation requirement

21.—(1) In this Part a “work preparation requirement” is a requirement that a claimant take particular action specified by the Department for the purpose of making it more likely in the opinion of the Department that the claimant will obtain paid work (or more paid work or better-paid work).

(2) The Department may under paragraph (1) specify the time to be devoted to any particular action.

(3) Action which may be specified under paragraph (1) includes in particular—

(a) attending a skills assessment;

(b) improving personal presentation;

(c) participating in training;

(d) participating in an employment programme;

(e) undertaking work experience or a work placement;

(f) developing a business plan;

(g) any action prescribed for the purpose in paragraph (1).

(4) In the case of a person with limited capability for work, the action which may be specified under paragraph (1) includes taking part in a work-focused health-related assessment.

(5) In paragraph (4) “work-focused health-related assessment” means an assessment by a health care professional approved by the Department which is carried out for the purpose of assessing—

(a) the extent to which the person’s capability for work may be improved by taking steps in relation to that person’s physical or mental condition, and

(b) such other matters relating to that person’s physical or mental condition and the likelihood of that person obtaining or remaining in work or being able to do so as may be prescribed.

(6) In paragraph (5) “health care professional” means—

(a) a registered medical practitioner,

(b) a registered nurse,

(c) an occupational therapist or physiotherapist registered with a regulatory body established by an Order in Council under section 60 of the Health Act 1999, or

(d) a member of such other profession regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002 as may be prescribed.

Work search requirement

22.—(1) In this Part a “work search requirement” is a requirement that a claimant take—

(a) all reasonable action, and

(b) any particular action specified by the Department,

for the purpose of obtaining paid work (or more paid work or better-paid work).

(2) The Department may under paragraph (1)(b) specify the time to be devoted to any particular action.

(3) Action which may be specified under paragraph (1)(b) includes in particular—

(a) carrying out work searches;

(b) making applications;

(c) creating and maintaining an online profile;

(d) registering with an employment agency;

(e) seeking references;

(f) any action prescribed for the purpose in paragraph (1).

(4) Regulations may impose limitations on a work search requirement by reference to the work to which it relates; and the Department may in any particular case specify further such limitations on such a requirement.

(5) A limitation under paragraph (4) may in particular be by reference to—

(a) work of a particular nature,

(b) work with a particular level of remuneration,

- (c) work in particular locations, or
 - (d) work available for a certain number of hours per week or at particular times,
- and may be indefinite or for a particular period.

Work availability requirement

23.—(1) In this Part a “work availability requirement” is a requirement that a claimant be available for work.

(2) For the purposes of this Article “available for work” means able and willing immediately to take up paid work (or more paid work or better-paid work).

(3) Regulations may impose limitations on a work availability requirement by reference to the work to which it relates; and the Department may in any particular case specify further such limitations on such a requirement.

(4) A limitation under paragraph (3) may in particular be by reference to—

- (a) work of a particular nature,
- (b) work with a particular level of remuneration,
- (c) work in particular locations, or

(d) work available for a certain number of hours per week or at particular times, and may be indefinite or for a particular period.

(5) Regulations may for the purposes of paragraph (2) define what is meant by a person being able and willing immediately to take up work.

Application of work-related requirements

Claimants subject to no work-related requirements

24.—(1) The Department may not impose any work-related requirement on a claimant falling within this Article.

(2) A claimant falls within this Article if—

- (a) the claimant has limited capability for work and work-related activity,
- (b) the claimant has regular and substantial caring responsibilities for a severely disabled person,
- (c) the claimant is the responsible carer for a child under the age of one, or
- (d) the claimant is of a prescribed description.

(3) Regulations under paragraph (2)(d) may in particular make provision by reference to one or more of the following—

- (a) hours worked;
- (b) earnings or income;
- (c) the amount of universal credit payable.

(4) Regulations under paragraph (3) may—

- (a) in the case of a claimant who is a member of a couple, make provision by reference to the claimant alone or by reference to the members of the couple together;

(b) make provision for estimating or calculating any matter for the purpose of the regulations.

(5) Where a claimant falls within this Article, any work-related requirement previously applying to the claimant ceases to have effect.

(6) In this Part “responsible carer”, in relation to a child means—

(a) a single person who is responsible for the child, or

(b) a person who is a member of a couple where—

(i) the person or the other member of the couple is responsible for the child, and

(ii) the person has been nominated by the couple jointly as responsible for the child.

Claimants subject to work-focused interview requirement only

25.—(1) A claimant falls within this Article if—

(a) the claimant is the responsible carer for a child who is aged \blacktriangleright^7 one \blacktriangleleft), or

(b) the claimant is of a prescribed description.

(2) The Department may, subject to this Part, impose a work-focused interview requirement on a claimant falling within this Article.

(3) The Department may not impose any other work-related requirement on a claimant falling within this Article (and, where a claimant falls within this Article, any other work-related requirement previously applying to the claimant ceases to have effect).

Claimants subject to work preparation requirement

26.—(1) A claimant falls within this Article if the claimant does not fall within Article 24 or 25 and—

(a) the claimant has limited capability for work, \blacktriangleright^8

(aa) the claimant is the responsible carer for a child who is aged 2, \blacktriangleleft or

(b) the claimant is of a prescribed description.

(2) The Department may, subject to this Part, impose a work preparation requirement on a claimant falling within this Article.

(3) The Department may also, subject to this Part, impose a work-focused interview requirement on a claimant falling within this Article.

(4) The Department may not impose any other work-related requirement on a claimant falling within this Article (and, where a claimant falls within this Article, any other work-related requirement previously applying to the claimant ceases to have effect).

(5) $\blacktriangleright^9\blacktriangleleft$

Claimants subject to all work-related requirements

27.—(1) A claimant not falling within any of Articles 24 to 26 falls within this Article.

(2) The Department must, except in prescribed circumstances, impose on a claimant falling within this Article—

(a) a work search requirement, and

(b) a work availability requirement.

(3) The Department may, subject to this Part, impose either or both of the following on a claimant falling within this Article—

- (a) a work-focused interview requirement;
- (b) a work preparation requirement.

Work-related requirements: supplementary

Connected requirements

28.—(1) The Department may require a claimant to participate in an interview for any purpose relating to—

- (a) the imposition of a work-related requirement on the claimant;
- (b) verifying the claimant's compliance with a work-related requirement;
- (c) assisting the claimant to comply with a work-related requirement.

(2) The Department may specify how, when and where such an interview is to take place.

(3) The Department may, for the purpose of verifying the claimant's compliance with a work-related requirement, require a claimant to—

- (a) provide to the Department information and evidence specified by the Department in a manner so specified;
- (b) confirm compliance in a manner so specified.

(4) The Department may require a claimant to report to the Department any specified changes in the claimant's circumstances which are relevant to—

- (a) the imposition of work-related requirements on the claimant;
- (b) the claimant's compliance with a work-related requirement.

Imposition of requirements

29.—(1) Regulations may make provision—

- (a) where the Department may impose a requirement under this Part, as to when the requirement must or must not be imposed;
- (b) where the Department may specify any action to be taken in relation to a requirement under this Part, as to what action must or must not be specified;
- (c) where the Department may specify any other matter in relation to a requirement under this Part, as to what must or must not be specified in respect of that matter.

(2) Where the Department may impose a work-focused interview requirement, the Department must have regard to such matters as may be prescribed.

(3) Where the Department may specify a particular action under Article 21(1) or 22(1)(b), the Department must have regard to such matters as may be prescribed.

(4) Where the Department may impose a requirement under this Part, the Department may revoke or change what has been imposed or specified.

(5) Where the Department may specify any action to be taken in relation to a requirement imposed under this Part, the Department may revoke or change what has been specified.

(6) Notification of a requirement imposed under this Part (or any change to or revocation of such a requirement) is, if not included in the claimant commitment, to be in such manner as the Department may determine.

(7) Regulations must make provision to secure that, in prescribed circumstances, where a claimant has recently been a victim of domestic violence—

- (a) a requirement imposed on that claimant under this Part ceases to have effect for a period of 13 weeks, and
- (b) the Department may not impose any other requirement under this Part on that claimant during that period.

(8) For the purposes of paragraph (7)—

- (a) “domestic violence” has such meaning as may be prescribed;
- (b) “victim of domestic violence” means a person on or against whom domestic violence is inflicted or threatened (and regulations under paragraph (7) may prescribe circumstances in which a person is to be treated as being or not being a victim of domestic violence);
- (c) a person has recently been a victim of domestic violence if a prescribed period has not expired since the violence was inflicted or threatened.

Compliance with requirements

30. Regulations may make provision as to circumstances in which a claimant is to be treated as having—

- (a) complied with or not complied with any requirement imposed under this Part or any aspect of such a requirement, or
- (b) taken or not taken any particular action specified by the Department in relation to such a requirement.

Reduction of benefit

Higher-level sanctions

31.—(1) The amount of an award of universal credit is to be reduced in accordance with this Article in the event of a failure by a claimant which is sanctionable under this Article.

(2) It is a failure sanctionable under this Article if a claimant falling within Article 27—

- (a) fails for no good reason to comply with a requirement imposed under a work preparation requirement to undertake a work placement of a prescribed description;
- (b) fails for no good reason to comply with a requirement imposed under a work search requirement to apply for a particular vacancy for paid work;
- (c) fails for no good reason to comply with a work availability requirement by not taking up an offer of paid work;
- (d) by reason of misconduct, or voluntarily and for no good reason, ceases paid work or loses pay.

(3) It is a failure sanctionable under this Article if by reason of misconduct, or voluntarily and for no good reason, a claimant falling within Article 24 by virtue of

paragraph (3) of that Article ceases paid work or loses pay so as to cease to fall within that Article and to fall within Article 27 instead.

(4) It is a failure sanctionable under this Article if, at any time before making the claim by reference to which the award is made, the claimant—

- (a) for no good reason failed to take up an offer of paid work, or
- (b) by reason of misconduct, or voluntarily and for no good reason, ceased paid work or lost pay,

and at the time the award is made the claimant falls within Article 27.

(5) For the purposes of paragraphs (2) to (4) regulations may provide—

- (a) for circumstances in which ceasing to work or losing pay is to be treated as occurring or not occurring by reason of misconduct or voluntarily;
- (b) for loss of pay below a prescribed level to be disregarded.

(6) Regulations are to provide for—

- (a) the amount of a reduction under this Article;
- (b) the period for which such a reduction has effect, not exceeding 18 months in relation to any failure sanctionable under this Article.

(7) Regulations under paragraph (6)(b) may in particular provide for the period of a reduction to depend on either or both of the following—

- (a) the number of failures by the claimant sanctionable under this Article;
- (b) the period between such failures.

(8) Regulations may provide—

- (a) for cases in which no reduction is to be made under this Article;
- (b) for a reduction under this Article made in relation to an award that is terminated to be applied to any new award made within a prescribed period of the termination;
- (c) for the termination or suspension of a reduction under this Article.

Other sanctions

32.—(1) The amount of an award of universal credit is to be reduced in accordance with this Article in the event of a failure by a claimant which is sanctionable under this Article.

(2) It is a failure sanctionable under this Article if a claimant—

- (a) fails for no good reason to comply with a work-related requirement;
- (b) fails for no good reason to comply with a requirement under Article 28.

(3) But a failure by a claimant is not sanctionable under this Article if it is also a failure sanctionable under Article 31.

(4) Regulations are to provide for—

- (a) the amount of a reduction under this Article, and
- (b) the period for which such a reduction has effect.

(5) Regulations under paragraph (4)(b) may provide that a reduction under this Article in relation to any failure is to have effect for—

- (a) a period continuing until the claimant meets a compliance condition specified by the Department,
- (b) a fixed period not exceeding 26 weeks which is—

- (i) specified in the regulations, or
 - (ii) determined in any case by the Department, or
 - (c) a combination of both.
- (6) In paragraph (5)(a) “compliance condition” means—
- (a) a condition that the failure ceases, or
 - (b) a condition relating to future compliance with a work-related requirement or a requirement under Article 28.
- (7) A compliance condition specified under paragraph (5)(a) may be—
- (a) revoked or varied by the Department;
 - (b) notified to the claimant in such manner as the Department may determine.
- (8) A period fixed under paragraph (5)(b) may in particular depend on either or both the following—
- (a) the number of failures by the claimant sanctionable under this Article;
 - (b) the period between such failures.
- (9) Regulations may provide—
- (a) for cases in which no reduction is to be made under this Article;
 - (b) for a reduction under this Article made in relation to an award that is terminated to be applied to any new award made within a prescribed period of the termination;
 - (c) for the termination or suspension of a reduction under this Article.

Hardship payments

- 33.**—(1) Regulations may make provision for the making of additional payments by way of universal credit to a claimant (“hardship payments”) where—
- (a) the amount of the claimant’s award is reduced under Article 31 or 32, and
 - (b) the claimant is or will be in hardship.
- (2) Regulations under this Article may in particular make provision as to—
- (a) circumstances in which a claimant is to be treated as being or not being in hardship;
 - (b) matters to be taken into account in determining whether a claimant is or will be in hardship;
 - (c) requirements or conditions to be met by a claimant in order to receive hardship payments;
 - (d) the amount or rate of hardship payments;
 - (e) the period for which hardship payments may be made;
 - (f) whether hardship payments are recoverable.

Administration

▶10◀

Delegation and contracting out

35.—(1) The functions of the Department under Articles 18 to 30 may be exercised by, or by the employees of, such person as the Department may authorise for the purpose (an “authorised person”).

(2) An authorisation given by virtue of this Article may authorise the exercise of a function—

- (a) wholly or to a limited extent;
- (b) generally or in particular cases or areas;
- (c) unconditionally or subject to conditions.

(3) An authorisation under this Article—

- (a) may specify its duration;
- (b) may be varied or revoked at any time by the Department;
- (c) does not prevent the Department or another person from exercising the function to which the authorisation relates.

(4) Anything done or omitted to be done by or in relation to an authorised person (or an employee of that person) in, or in connection with, the exercise or purported exercise of the function concerned is to be treated for all purposes as done or omitted to be done by or in relation to the Department or (as the case may be) an officer of the Department.

(5) Paragraph (4) does not apply—

- (a) for the purposes of so much of any contract made between the authorised person and the Department as relates to the exercise of the function, or
- (b) for the purposes of any criminal proceedings brought in respect of anything done or omitted to be done by the authorised person (or an employee of that person).

(6) Where—

- (a) the authorisation of an authorised person is revoked, and
- (b) at the time of the revocation so much of any contract made between the authorised person and the Department as relates to the exercise of the function is subsisting,

the authorised person is entitled to treat the contract as repudiated by the Department (and not as frustrated by reason of the revocation).

▶11◀

CHAPTER 3

Supplementary and general

Supplementary and consequential

Supplementary regulation-making powers

36. Schedule 1 contains supplementary regulation-making powers.

Supplementary and consequential amendments

37. Schedule 2 contains supplementary and consequential amendments.

Power to make supplementary and consequential provision etc.

38.—(1) The Department may by regulations make such consequential, supplementary, incidental or transitional provision in relation to any provision of this Part as the Department considers appropriate.

(2) Regulations under this Article may amend, repeal or revoke any statutory provision (whenever passed or made).

Universal credit and other benefits

Abolition of benefits

39.—(1) The following benefits are abolished—

- (a) income-based jobseeker's allowance under the Jobseekers Order;
- (b) income-related employment and support allowance under Part 1 of the Welfare Reform Act (Northern Ireland) 2007;
- (c) income support under section 123 of the Contributions and Benefits Act;
- (d) housing benefit under section 129 of that Act.

(2) In paragraph (1)—

- (a) "income-based jobseeker's allowance" has the same meaning as in the Jobseekers Order;
- (b) "income-related employment and support allowance" means an employment and support allowance entitlement to which is based on section 1(2)(b) of the Welfare Reform Act (Northern Ireland) 2007.

(3) Schedule 3 contains consequential amendments.

Universal credit and the state pension credit

40. Schedule 4 provides for a housing element of state pension credit in consequence of the abolition of housing benefit by Article 39.

Universal credit and working-age benefits

41. Schedule 5 makes further provision relating to universal credit, jobseeker's allowance and employment and support allowance.

Migration to universal credit

42. Schedule 6 contains provision about the replacement of benefits by universal credit.

General

Capability for work or work-related activity

43.—(1) For the purposes of this Part a claimant has limited capability for work if—

- (a) the claimant's capability for work is limited by his or her physical or mental condition, and
 - (b) the limitation is such that it is not reasonable to require the claimant to work.
- (2) For the purposes of this Part a claimant has limited capability for work-related activity if—
- (a) the claimant's capability for work-related activity is limited by his or her physical or mental condition, and
 - (b) the limitation is such that it is not reasonable to require the claimant to undertake work-related activity.
- (3) The question whether a claimant has limited capability for work or work-related activity for the purposes of this Part is to be determined in accordance with regulations.
- (4) Regulations under this Article must, subject as follows, provide for determination of that question on the basis of an assessment (or repeated assessments) of the claimant.
- (5) Regulations under this Article may for the purposes of an assessment—
- (a) require a claimant to provide information or evidence (and may require it to be provided in a prescribed manner or form);
 - (b) require a claimant to attend and submit to a medical examination at a place, date and time determined under the regulations.
- (6) Regulations under this Article may make provision for a claimant to be treated as having or not having limited capability for work or work-related activity.
- (7) Regulations under paragraph (6) may provide for a claimant who fails to comply with a requirement imposed under paragraph (5) without a good reason to be treated as not having limited capability for work or work-related activity.
- (8) Regulations under paragraph (6) may provide for a claimant to be treated as having limited capability for work until—
- (a) it has been determined whether or not that is the case, or
 - (b) the claimant is under any other provision of regulations under paragraph (6) treated as not having it.
- (9) Regulations under this Article may provide for determination of the question of whether a claimant has limited capability for work or work-related activity even where the claimant is for the time being treated under regulations under paragraph (6) as having limited capability for work or work-related activity.

Information

44. Information supplied under Chapter 2 or Article 43 is to be taken for all purposes to be information relating to social security.

Couples

45.▶¹²—(1) In this Part “couple” means—

- (a) two people who are married to, or civil partners of, each other and are members of the same household, or
- (b) two people who are not married to, or civil partners of, each other but are living together as if spouses of each other.◀

(3) For the purposes of this Article regulations may prescribe—

- (c) circumstances in which the fact that two persons are husband and wife or are civil partners is to be disregarded;
- (d) circumstances in which ¹³two people¹⁴ are to be treated as living together ¹⁴as if spouses of each other¹⁴;
- (e) circumstances in which people are to be treated as being or not being members of the same household.

Interpretation of Part 2

46. In this Part—

“assessment period” has the meaning given by Article 12(2);

“child” means a person under the age of 16;

“claim” means claim for universal credit;

“claimant” means a single claimant or each of joint claimants;

“couple” has the meaning given by Article 45;

“disabled” has such meaning as may be prescribed;

“joint claimants” means members of a couple who jointly make a claim or in relation to whom an award of universal credit is made;

“limited capability for work” and “limited capability for work-related activity” are to be construed in accordance with Article 43(1) and (2);

“qualifying young person” has the meaning given in Article 15(5);

“regular and substantial caring responsibilities” has such meaning as may be prescribed;

“responsible carer”, in relation to a child, has the meaning given in Article 24(6);

“severely disabled” has such meaning as may be prescribed;

“single claimant” means a single person who makes a claim for universal credit or in relation to whom an award of universal credit is made as a single person;

“single person” is to be construed in accordance with Article 6(2)(a);

“work” has such meaning as may be prescribed;

“work availability requirement” has the meaning given by Article 23(1);

“work preparation requirement” has the meaning given by Article 21(1);

“work search requirement” has the meaning given by Article 22(1);

“work-focused interview requirement” has the meaning given by Article 20(1);

“work-related activity”, in relation to a person, means activity which makes it more likely that the person will obtain or remain in work or be able to do so;

“work-related requirement” has the meaning given by Article 18(2).

Regulations

Pilot schemes

47.—(1) Any power to make—

- (a) regulations under this Part,
- (b) regulations under the Administration Act relating to universal credit, or
- (c) regulations under the Social Security (Northern Ireland) Order 1998 relating to universal credit,

may be exercised so as to make provision for piloting purposes.

(2) In paragraph (1), “piloting purposes”, in relation to any provision, means the purposes of testing—

- (a) the extent to which the provision is likely to make universal credit simpler to understand or to administer,
- (b) the extent to which the provision is likely to promote—
 - (i) people remaining in work, or
 - (ii) people obtaining or being able to obtain work (or more work or better paid work), or
- (c) the extent to which, and how, the provision is likely to affect the conduct of claimants or other people in any other way.

(3) Regulations made by virtue of this Article are in the remainder of this Article referred to as a “pilot scheme”.

(4) A pilot scheme may be limited in its application to—

- (a) one or more areas;
- (b) one or more classes of person;
- (c) persons selected—
 - (i) by reference to prescribed criteria, or
 - (ii) on a sampling basis.

(5) A pilot scheme may not have effect for a period exceeding 3 years, but—

- (a) the Department may by order provide that the pilot scheme is to continue to have effect after the time when it would otherwise expire for a period not exceeding 12 months (and may make more than one such order);
- (b) a pilot scheme may be replaced by a further pilot scheme making the same or similar provision.

(6) A pilot scheme may include consequential or transitional provision in relation to its expiry.

Regulations

48.—(1) Where any power under this Part to make regulations is expressed to be exercisable for alternative purposes, it may be exercised in relation to the same case for all or any of those purposes.

(2) Any power under this Part to make regulations includes power—

- (a) to make such incidental, supplementary, consequential or transitional provision or savings as appear to the Department to be expedient;
- (b) to provide for a person to exercise a discretion in dealing with any matter.

(3) Each power conferred by this Part is without prejudice to the others.

(4) Where regulations under this Part provide for an amount, the amount may be zero.

(5) Where regulations under this Part provide for an amount for the purposes of an award (or a reduction from an award), the amount may be different in relation to different descriptions of person, and in particular may depend on—

- (a) whether the person is a single person or a member of a couple;
- (b) the age of the person.

(6) Regulations under Article 16(4) or 17(3) which provide for the determination or calculation of an amount may make different provision for different areas.

Assembly control

49.—(1) Subject to the following provisions of this Article, any regulations made under this Part are subject to negative resolution.

(2) Regulations made by virtue of Article 47 (pilot schemes), alone or with other regulations—

- (a) must be laid before the Assembly after being made; and
- (b) take effect on such date as may be specified in the regulations, but (without prejudice to the validity of anything done thereunder or to the making of new regulations) cease to have effect upon the expiration of a period of 6 months from that date unless at some time before the expiration of that period the regulations are approved by a resolution of the Assembly.

(3) This paragraph applies to any regulations under this Part which—

- (a) but for paragraph (4), would be subject to negative resolution, and
- (b) are contained in a statutory rule which includes any regulations subject to the confirmatory procedure.

(4) Any regulations to which paragraph (3) applies shall not be subject to negative resolution, but shall be subject to the confirmatory procedure.

(5) In this Article “the confirmatory procedure” means the procedure described in paragraph (2).

SCHEDULES

SCHEDULE 1

Article 36

Universal credit: supplementary regulation-making powers

Entitlement of joint claimants

1. Regulations may provide for circumstances in which joint claimants may be entitled to universal credit without each of them meeting all the basic conditions referred to in Article 9.

Linking periods

2. Regulations may provide for periods of entitlement to universal credit which are separated by no more than a prescribed number of days to be treated as a single period.

Couples

3.—(1) Regulations may provide—

- (a) for a claim made by members of a couple jointly to be treated as a claim made by one member of the couple as a single person (or as claims made by both members as single persons);
- (b) for claims made by members of a couple as single persons to be treated as a claim made jointly by the couple.

(2) Regulations may provide—

- (a) where an award is made to joint claimants who cease to be entitled to universal credit as such by ceasing to be a couple, for the making of an award (without a claim) to either or each one of them—
 - (i) as a single person, or
 - (ii) jointly with another person;
- (b) where an award is made to a single claimant who ceases to be entitled to universal credit as such by becoming a member of a couple, for the making of an award (without a claim) to the members of the couple jointly;
- (c) for the procedure to be followed, and information or evidence to be supplied, in relation to the making of an award under this paragraph.

Calculation of capital and income

4.—(1) Regulations may for any purpose of this Part provide for the calculation or estimation of—

- (a) a person's capital,
- (b) a person's earned and unearned income, and
- (c) a person's earned and unearned income in respect of an assessment period.

(2) Regulations under sub-paragraph (1)(c) may include provision for the calculation to be made by reference to an average over a period, which need not include the assessment period concerned.

(3) Regulations under sub-paragraph (1) may—

- (a) specify circumstances in which a person is to be treated as having or not having capital or earned or unearned income;
- (b) specify circumstances in which income is to be treated as capital or capital as earned income or unearned income;
- (c) specify circumstances in which unearned income is to be treated as earned, or earned income as unearned;
- (d) provide that a person's capital is to be treated as yielding income at a prescribed rate;
- (e) provide that the capital or income of one member of a couple is to be treated as that of the other member.

(4) Regulations under sub-paragraph (3)(a) may in particular provide that persons of a prescribed description are to be treated as having a prescribed minimum level of earned income.

(5) In the case of joint claimants the income and capital of the joint claimants includes (subject to sub-paragraph (6)) the separate income and capital of each of them.

(6) Regulations may specify circumstances in which capital and income of either of joint claimants is to be disregarded in calculating their joint capital and income.

Responsibility for children etc.

5.—(1) Regulations may for any purpose of this Part specify circumstances in which a person is or is not responsible for a child or qualifying young person.

(2) Regulations may for any purpose of this Part make provision about nominations of the responsible carer for a child (see Article 24(6)(b)(ii)).

Vouchers

6.—(1) This paragraph applies in relation to an award of universal credit where the calculation of the amount of the award includes, by virtue of any provision of this Part, an amount in respect of particular costs which a claimant may incur.

(2) Regulations may provide for liability to pay all or part of the award to be discharged by means of provision of a voucher.

(3) But the amount paid by means of a voucher may not in any case exceed the total of the amounts referred to in sub-paragraph (1) which are included in the calculation of the amount of the award.

(4) For these purposes a voucher is a means other than cash by which a claimant may to any extent meet costs referred to in sub-paragraph (1) of a particular description.

(5) A voucher may for these purposes—

- (a) be limited as regards the person or persons who will accept it;
- (b) be valid only for a limited time.

Work-related requirements

7. Regulations may provide that a claimant who—
- (a) asserts a right to reside in the United Kingdom under the EU Treaties, and
 - (b) would otherwise fall within Article 24, 25 or 26,
- is to be treated as not falling within that section.

Good reason

8. Regulations may for any purpose of this Part provide for—
- (a) circumstances in which a person is to be treated as having or not having a good reason for an act or omission;
 - (b) matters which are or are not to be taken into account in determining whether a person has a good reason for an act or omission.

SCHEDULE 2 Article 37
Universal credit: amendments

.....

SCHEDULE 3 Article 39(3)
Abolition of benefits: consequential amendments

.....

SCHEDULE 4 Article 40
Housing credit element of state pension credit

.....

SCHEDULE 5

Article 41

Universal credit and other working age benefits

General

- 1.—(1) In this Schedule “relevant benefit” means—
- (a) jobseeker’s allowance, or
 - (b) employment and support allowance.
- (2) In this Schedule “work-related requirement” means—
- (a) a work-related requirement within the meaning of this Part,
 - (b) a work-related requirement within the meaning of the Jobseekers Order, or
 - (c) a work-related requirement within the meaning of Part 1 of the Welfare Reform Act (Northern Ireland) 2007.
- (3) In this Schedule “sanction” means a reduction of benefit under—
- (a) Article 31 or 32,
 - (b) Article 8J or 8K of the Jobseekers Order (as inserted by Article **Error! Reference source not found.**(4) of this Order), or
 - (c) section 11J of the Welfare Reform Act (Northern Ireland) 2007 (as inserted by Article **Error! Reference source not found.**(2) of this Order).

Dual entitlement

- 2.—(1) Regulations may make provision as to the amount payable by way of a relevant benefit where a person is entitled to that benefit and universal credit.
- (2) Regulations under sub-paragraph (1) may in particular provide for no amount to be payable by way of a relevant benefit.
- (3) Regulations may, where a person is entitled to a relevant benefit and universal credit—
- (a) make provision as to the application of work-related requirements;
 - (b) make provision as to the application of sanctions.
- (4) Provision under sub-paragraph (3)(a) includes in particular—
- (a) provision securing that compliance with a work-related requirement for a relevant benefit is to be treated as compliance with a work-related requirement for universal credit;
 - (b) provision disapplying any requirement on the Department to impose, or a person to comply with, a work-related requirement for a relevant benefit or universal credit.
- (5) Provision under sub-paragraph (3)(b) includes in particular—
- (a) provision for the order in which sanctions are to be applied to awards of a relevant benefit and universal credit;
 - (b) provision to secure that the application of a sanction to an award of a relevant benefit does not result in an increase of the amount of an award of universal credit.

Movement between working-age benefits

3. Regulations may provide—

- (a) in a case where a person ceases to be entitled to universal credit and becomes entitled to a relevant benefit, for a sanction relating to the award of universal credit to be applied to the award of the relevant benefit;
- (b) in a case where a person ceases to be entitled to a relevant benefit and becomes entitled to universal credit, for a sanction relating to the award of the relevant benefit to be applied to the award of universal credit;
- (c) in a case where a person ceases to be entitled to one relevant benefit and becomes entitled to the other, for a sanction relating to the award of the former to apply to the award of the latter.

Hardship payments

4. Regulations under Article 33 (hardship payments) may be made in relation to a person whose award of universal credit is reduced by virtue of regulations under paragraph 2(3)(b) or 3(b) as in relation to a person whose award is reduced under Article 31 or 32.

Earnings tapers

5. In Article 6 of the Jobseekers Order (amount payable by way of a jobseeker's allowance), in paragraph (1)(b)—

(a) after “making” insert—

“(i) deductions in respect of earnings calculated in the prescribed manner (which may include multiplying some or all earnings by a prescribed percentage), and (ii)”;

(b) “earnings,” (before “pension payments”) is repealed.

6.—(1) Section 2 of the Welfare Reform Act (Northern Ireland) 2007 (amount of contributory allowance) is amended as follows.

(2) In subsection (1)(c), after “making” insert—

“(i) deductions in respect of earnings calculated in the prescribed manner (which may include multiplying some or all earnings by a prescribed percentage), and

(ii) ”.

(3) At the end insert—

“(6) In subsection (1)(c)(i) the reference to earnings is to be construed in accordance with sections 3, 4 and 112 of the Contributions and Benefits Act.”

SCHEDULE 6

Article 42

Migration to universal credit

General

1.—(1) Regulations may make provision for the purposes of, or in connection with, replacing existing benefits with universal credit.

(2) In this Schedule “existing benefit” means—

- (a) a benefit abolished under Article 39(1);
- (b) any other prescribed benefit.

(3) In this Schedule “appointed day” means the day appointed for the coming into operation of Article 6.

Claims before the appointed day

2.—(1) The provision referred to in paragraph 1(1) includes—

- (a) provision for a claim for universal credit to be made before the appointed day for a period beginning on or after that day;
- (b) provision for a claim for universal credit made before the appointed day to be treated to any extent as a claim for an existing benefit;
- (c) provision for a claim for an existing benefit made before the appointed day to be treated to any extent as a claim for universal credit.

(2) The provision referred to in paragraph 1(1) includes provision, where a claim for universal credit is made (or is treated as made) before the appointed day, for an award on the claim to be made in respect of a period before the appointed day (including provision as to the conditions of entitlement for, and amount of, such an award).

Claims after the appointed day

3.—(1) The provision referred to in paragraph 1(1) includes—

- (a) provision permanently or temporarily excluding the making of a claim for universal credit after the appointed day by—
 - (i) a person to whom an existing benefit is awarded, or
 - (ii) a person who would be entitled to an existing benefit on making a claim for it;
- (b) provision temporarily excluding the making of a claim for universal credit after the appointed day by any other person;
- (c) provision excluding entitlement to universal credit temporarily or for a particular period;
- (d) provision for a claim for universal credit made after the appointed day to be treated to any extent as a claim for an existing benefit;
- (e) provision for a claim for an existing benefit made after the appointed day to be treated to any extent as a claim for universal credit.

(2) The provision referred to in paragraph 1(1) includes provision, where a claim for universal credit is made (or is treated as made) after the appointed day, for an award on the claim to be made in respect of a period before the appointed day (including provision as to the conditions of entitlement for, and amount of, such an award).

Awards

- 4.—(1) The provision referred to in paragraph 1(1) includes—
- (a) provision for terminating an award of an existing benefit;
 - (b) provision for making an award of universal credit, with or without application, to a person whose award of existing benefit is terminated.
- (2) The provision referred to in sub-paragraph (1)(b) includes—
- (a) provision imposing requirements as to the procedure to be followed, information to be supplied or assessments to be undergone in relation to an award by virtue of that sub-paragraph or an application for such an award;
 - (b) provision as to the consequences of failure to comply with any such requirement;
 - (c) provision as to the terms on which, and conditions subject to which, such an award is made, including—
 - (i) provision temporarily or permanently disapplying, or otherwise modifying, conditions of entitlement to universal credit in relation to the award;
 - (ii) provision temporarily or permanently disapplying, or otherwise modifying, any requirement under this Part for a person to be assessed in respect of capability for work or work-related activity;
 - (d) provision as to the amount of such an award;
 - (e) provision that fulfilment of any condition relevant to entitlement to an award of an existing benefit, or relevant to the amount of such an award, is to be treated as fulfilment of an equivalent condition in relation to universal credit.
- (3) Provision under sub-paragraph (2)(d) may secure that where an award of universal credit is made by virtue of sub-paragraph (1)(b)—
- (a) the amount of the award is not less than the amount to which the person would have been entitled under the terminated award, or is not less than that amount by more than a prescribed amount;
 - (b) if the person to whom it is made ceases to be entitled to universal credit for not more than a prescribed period, the gap in entitlement is disregarded in calculating the amount of any new award of universal credit.

Work-related requirements and sanctions

- 5.—(1) The provision referred to in paragraph 1(1) includes—
- (a) provision relating to the application of work-related requirements for relevant benefits;
 - (b) provision relating to the application of sanctions.
- (2) The provision referred to in sub-paragraph (1)(a) includes—
- (a) provision that a claimant commitment for a relevant benefit is to be treated as a claimant commitment for universal credit;
 - (b) provision that a work-related requirement for a relevant benefit is to be treated as a work-related requirement for universal credit;
 - (c) provision for anything done which is relevant to compliance with a work-related requirement for a relevant benefit to be treated as done for the purposes of compliance with a work-related requirement for universal credit;

- (d) provision temporarily disapplying any provision of this Part in relation to work-related requirements for universal credit.
- (3) The provision referred to in sub-paragraph (1)(b) includes—
 - (a) provision for a sanction relevant to an award of a relevant benefit to be applied to an award of universal credit;
 - (b) provision for anything done which is relevant to the application of a sanction for a relevant benefit to be treated as done for the purposes of the application of a sanction for universal credit;
 - (c) provision temporarily disapplying any provision of this Part in relation to the application of sanctions.
- (4) In this paragraph—
 - “relevant benefit” means—
 - (a) jobseeker’s allowance,
 - (b) employment and support allowance, and
 - (c) income support;
 - “work-related requirement” means—
 - (d) for universal credit, a work-related requirement within the meaning of this Part;
 - (e) for jobseeker’s allowance, a requirement imposed—
 - (i) by virtue of regulations under Article 10 or 19A of the Jobseekers Order,
 - (ii) by a jobseeker’s direction (within the meaning of Article 21A of that Order),
 - (iii) by virtue of regulations under section 2A, 2AA or 2D of the Administration Act, or
 - (iv) by a direction under section 2F of that Act;
 - (f) for employment and support allowance, a requirement imposed—
 - (i) by virtue of regulations under section 8, 9, 11, 12 or 13 of the Welfare Reform Act (Northern Ireland) 2007,
 - (ii) by a direction under section 15 of that Act,
 - (iii) by virtue of regulations under section 2A, 2AA or 2D of the Administration Act, or
 - (iv) by a direction under section 2F of that Act;
 - (g) for income support, a requirement imposed—
 - (i) by virtue of regulations under section 2A, 2AA or 2D of the Administration Act, or
 - (ii) by a direction under section 2F of that Act;
 - “sanction” means a reduction of benefit under—
 - (h) Article 31 or 32,
 - (i) Article 21, 21A or 21B of the Jobseekers Order,
 - (j) section 11, 12 or 13 of the Welfare Reform (Northern Ireland) Act 2007, or
 - (k) section 2A, 2AA or 2D of the Administration Act.

Supplementary

6. Regulations under paragraph 1(1) may secure the result that any gap in entitlement to an existing benefit (or what would, but for the provisions of this Part, be a gap in entitlement to an existing benefit) is to be disregarded for the purposes of provision under such regulations.

7. Regulations under paragraph 1(1) may amend or modify the application of any statutory provision.

SCHEDULE 7

Repeals

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REFERENCES

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1. Inserted by Art. 10(2) of SI 2016/999 (N.I. 1) from 11.3.2017
 2. Substituted by Art. 10(3)(a) of SI 2016/999 (N.I. 1) from 11.3.2017
 3. Inserted by Art. 10(3)(b) of SI 2016/999 (N.I. 1) from 11.3.2017
 4. Inserted by Art. 10(4) of SI 2016/999 (N.I. 1) from 11.3.2017
 5. Omitted by Art. 15(10) of SI 2016/999 (N.I. 1) from 6.4.2018
 6. Omitted by Art. 11 of SI 2016/999 (N.I. 1) from 27.9.2017
 7. Substituted by Art. 12(1)(a) of SI 2016/999 (N.I. 1) from 27.9.2017
 8. Inserted by Art. 12(1)(b) of SI 2016/999 (N.I. 1) from 27.9.2017
 9. Omitted by Art. 12(1)(c) of SI 2016/999 (N.I. 1) from 27.9.2017
 10. Omitted by para. 62 of Schedule 6 to the Departments (Transfer of Functions) Order (NI) 2016 (S.R. 2016 No. 76) as from 09.05.16
 11. Omitted by para. 63 of Schedule 6 to the Departments (Transfer of Functions) Order (NI) 2016 (S.R. 2016 No. 76) as from 09.05.16
 12. Substituted by regulation 74 of the Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019 (S.I 2019/1514) as from 13.01.2020.
 13. Substituted by regulation 74 of the Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019 (S.I 2019/1514) as from 13.01.2020.
 14. Substituted by regulation 74 of the Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019 (S.I 2019/1514) as from 13.01.2020.