
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 220

The Universal Credit, Personal Independence Payment,
Jobseeker's Allowance and Employment and Support Allowance
(Claims and Payments) Regulations (Northern Ireland) 2016

PART 1

General

Citation and commencement

1.—(1) These Regulations may be cited as the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations (Northern Ireland) 2016.

(2) For the purpose of personal independence payment these Regulations come into operation on 20th June 2016.

(3) For the purposes of universal credit, jobseeker's allowance and employment and support allowance these Regulations come into operation immediately after the coming into operation of the Universal Credit Regulations.

Interpretation

2.—(1) In these Regulations—

“the 2007 Act” means the Welfare Reform Act (Northern Ireland) 2007 ^{M1};

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

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

“appropriate office” means—

(a) an office of the Department or any other place designated by the Department in relation to any case or class of case as a place to, or at which, any claim, notice, document, evidence or other information may be sent, delivered or received for the purposes of these Regulations and includes a postal address specified by the Department for that purpose; or

(b) in the case of a person who is authorised or required by these Regulations to use an electronic communication for any purpose, an address to which such communications may be sent in accordance with Schedule 1;

“assessment period” has the meaning given by regulation 22 of the Universal Credit Regulations;

“attendance allowance” means an allowance payable by virtue of section 64 of the Contributions and Benefits Act ^{M2};

“benefit”, except in regulation 55 and Schedules 4 and 5, means universal credit, personal independence payment, a jobseeker's allowance or employment and support allowance;

“child” has the meaning given by Article 46 of the 2015 Order;

“the Child Support Order” means the Child Support (Northern Ireland) Order 1991;

“claimant” in relation to—

- (a) universal credit, has the meaning given by Article 46 of the 2015 Order;
- (b) personal independence payment, means any person who is a claimant for the purposes of regulations made under Part 5 of that Order;
- (c) a jobseeker's allowance, has the meaning given by Article 2(2) of the Jobseekers Order ^{M3}; and
- (d) an employment and support allowance, has the meaning given by section 24(1) of the 2007 Act;

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits (Northern Ireland) Act 1992 ^{M4};

“couple” has the meaning given by Article 45 of the 2015 Order;

“disability living allowance” means an allowance payable by virtue of section 71 of the Contributions and Benefits Act ^{M5};

“earned income” has the meaning given by regulation 51 of the Universal Credit Regulations;

“electronic communication” has the meaning given by section 4(1) of the Electronic Communications Act (Northern Ireland) 2001 ^{M6};

“employment and support allowance” means an allowance under Part 1 of the 2007 Act (as amended by Schedule 3 and Part 1 of Schedule 12 to the 2015 Order that remove references to an income-related allowance);

“jobseeker's allowance” means an allowance under the Jobseekers Order (as amended by Part 1 of Schedule 12 to the 2015 Order that removes references to an income-based allowance);

“the Jobseeker's Allowance Regulations” means the Jobseeker's Allowance Regulations (Northern Ireland) 2016 ^{M7};

“the Jobseekers Order” means the Jobseekers (Northern Ireland) Order 1995 ^{M8};

“limited capability for work” has the meaning given by section 1(4) of the 2007 Act;

“maternity allowance” means an allowance payable by virtue of section 35 of the Contributions and Benefits Act ^{M9};

“office closure” means a period during which an appropriate office is closed in connection with a public holiday;

“official computer system” means a computer system maintained by or on behalf of the Department to—

- (a) send or receive any claim or information; or
- (b) process or store any claim or information;

“partner” means one of a couple;

“personal independence payment” means the allowance under Part 5 of the 2015 Order;

“the Personal Independence Payment Regulations” means the Personal Independence Payment Regulations (Northern Ireland) 2016 ^{M10};

“qualifying young person” has the meaning given by regulation 6 of the Universal Credit Regulations;

“regular and substantial caring responsibilities for a severely disabled person” has the meaning given by regulation 31 of the Universal Credit Regulations;

“universal credit” means the benefit under Part 2 of the 2015 Order;

“the Universal Credit Regulations” means the Universal Credit Regulations (Northern Ireland) 2016^{M11};

“writing” includes writing produced by means of electronic communications used in accordance with Schedule 1.

(2) Subject to paragraph (3), the Interpretation Act (Northern Ireland) 1954^{M12} shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(3) For the purposes of these Regulations and notwithstanding section 39(2) of the Interpretation Act (Northern Ireland) 1954, 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.

Marginal Citations

M1 2007 c. 2 (N.I.).

M2 Section 64 was amended by Article 63(1) of the Welfare Reform and Pensions (Northern Ireland) Order 1999.

M3 The definition of “claimant” was amended by paragraph 2(2) of Schedule 7 to the Welfare Reform and Pensions (Northern Ireland) Order 1999.

M4 1992 c. 7.

M5 Section 71 was amended by Article 64(1) of the Welfare Reform and Pensions (Northern Ireland) Order 1999.

M6 2001 c. 9 (N.I.); the definition of “electronic communication” was amended by paragraph 170 of Schedule 17 to the Communications Act 2003 (c. 21).

M7 S.R. 2016 No. 218.

M8 S.I. 1995/2705 (N.I. 15).

M9 Section 35 was amended by Article 4(a) of the Still Birth (Definition) (Northern Ireland) Order 1992 (S.I. 1992/1310 (N.I. 10)), Article 63 of the Social Security (Northern Ireland) Order 1998, Article 50(1) and (2) of the Welfare Reform and Pensions (Northern Ireland) Order 1999, paragraph 2 of Schedule 1 to the Social Security Act (Northern Ireland) 2002, paragraph 5 of Schedule 1 to the Work and Families (Northern Ireland) Order 2006 (S.I. 2006/1947 (N.I. 16)), regulation 2(3) of S.R. 1994 No. 176, regulation 2(3) of S.R. 2014 No. 102 and section 6(2) and (3) of the Work and Families Act (Northern Ireland) 2015 (c. 1).

M10 S.R. 2016 No. 217.

M11 S.R. 2016 No. 216.

M12 1954 c. 33 (N.I.).

Use of electronic communications

3. Schedule 1 makes provision as to the use of electronic communications.

Consequential amendments

4. Schedule 2 makes amendments consequential upon these Regulations.

Disapplication of section 1(1A) of the Administration Act

5. Section 1(1A) of the Administration Act^{M13} (entitlement to benefit dependent on claim) is not to apply to a child or a qualifying young person in respect of whom universal credit is claimed.

Changes to legislation: *There are currently no known outstanding effects for the The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations (Northern Ireland) 2016, PART 1. (See end of Document for details)*

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Marginal Citations

M13 Subsection (1A) was inserted by Article 18 of the Social Security Administration (Fraud) (Northern Ireland) Order 1997.

Changes to legislation:

There are currently no known outstanding effects for the The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations (Northern Ireland) 2016, PART 1.