
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 236

The Universal Credit (Consequential,
Supplementary, Incidental and Miscellaneous
Provisions) Regulations (Northern Ireland) 2016

PART 3

AMENDMENTS OF SECONDARY LEGISLATION

CHAPTER 7

NATIONAL INSURANCE CONTRIBUTIONS AND CREDITS

Amendment of the Social Security (Credits) Regulations

51.—(1) The Social Security (Credits) Regulations (Northern Ireland) 1975⁽¹⁾ are amended in accordance with paragraphs (2) to (6).

(2) In regulation 2(1) (interpretation)—

(a) before the definition of “the Act” insert—

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

(b) for the definition of “contribution-based jobseeker’s allowance” substitute—

““contribution-based jobseeker’s allowance” means an allowance under the Jobseekers (Northern Ireland) Order 1995 as amended by the provisions of Part 1 of Schedule 12 to the 2015 Order that remove references to an income-based allowance, and a contribution-based allowance under Part 1 of the Welfare Reform Act as that Part has effect apart from those provisions;”;

(c) for the definition of “contributory employment and support allowance” substitute—

““contributory employment and support allowance” means an allowance under Part 1 of the Welfare Reform Act as amended by the provisions of Schedule 3, and Part 1 of Schedule 12 to the 2015 Order that remove references to an income-related allowance, and a contributory allowance under Part 1 of the Welfare Reform Act as that Part has effect apart from those provisions;”;

(d) after the definition of “relevant past year” insert—

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

(3) In regulation 7 (credits for approved training)⁽²⁾—

(a) in paragraph (1) for “(2) and (3)” substitute “(2) to (4)”; and

(b) after paragraph (3) insert—

⁽¹⁾ SR. 1975 No. 113

⁽²⁾ Regulation 7 was amended by regulation 2(2) of S.R. 1978 No. 77, regulation 5(a) of S.R. 1987 No. 153, regulation 2(a) of S.R. 1988 No. 298, regulation 2(5)(b) of S.R. 1988 No. 326 and regulation 2(b) of S.R. 1989 No. 368

“(4) Paragraph (1) shall not apply to a person in respect of any week in any part of which that person was entitled to universal credit.”.

(4) In regulation 8A (credits for unemployment)(3)—

(a) for paragraph (2)(b) substitute—

“(b) a week for the whole of which the person in relation to old style JSA—

(i) satisfied or was treated as having satisfied the conditions set out in Article 3(2)(a), (c) and (e) to (h) of the Jobseekers (Northern Ireland) Order 1995 (conditions for entitlement to a jobseeker’s allowance), and

(ii) satisfied the further condition specified in paragraph (3) below; or

(ba) a week for the whole of which the person in relation to new style JSA—

(i) satisfied or was treated as having satisfied the conditions set out in Article 3(2)(e) to (h) of the Jobseekers (Northern Ireland) Order 1995 (conditions for entitlement to a jobseeker’s allowance),

(ii) satisfied or was treated as having satisfied the work-related requirements under Article 8D and 8E of the Jobseekers (Northern Ireland) Order 1995 (work search and work availability requirements), and

(iii) satisfied the further condition specified in paragraph (3) below; or”;

(b) in paragraph (2)(c) after “sub-paragraph (b)” insert “or (ba)”;

(c) in paragraph (3) after “paragraph (2)(b)” insert “and (ba)”;

(d) in paragraph (3)(b) after “paragraph (2)(b)” insert “or the conditions and requirements in paragraph (2)(ba)”;

(e) for paragraph (5)(c) and (5)(cc) substitute—

“(c) a week in respect of which, in relation to the person concerned—

(i) an old style JSA was reduced in accordance with Article 21 or 21A, or regulations made under Article 21B, of the Jobseekers (Northern Ireland) Order 1995; or

(ii) a new style JSA was reduced in accordance with Article 8J or 8K of the Jobseekers (Northern Ireland) Order 1995; or”;

(f) after paragraph (5)(dd) insert—

“(de) a week where paragraph (2)(b), (ba) or (c) apply and the person concerned was entitled to universal credit for any part of that week; or”;

(g) after paragraph (5) insert—

“(6) In this regulation—

“new style JSA” means a jobseeker’s allowance under the Jobseekers (Northern Ireland) Order 1995 as amended by the provisions of Part 1 of Schedule 12 to the 2015 Order that remove references to an income-based allowance;

“old style JSA” means a jobseeker’s allowance under the Jobseekers (Northern Ireland) Order 1995 as it has effect apart from the amendments made by Part 1 of Schedule 12 to the 2015 Order that remove references to an income-based allowance.”.

(3) Regulation 8A was inserted by regulation 2(6) of [S.R. 1996 No. 430](#) and amended by regulation 3 of [S.R. 2000 No. 404](#), regulation 3 of [S.R. 2001 No. 120](#), regulation 2(4) of [S.R. 2002 No. 80](#), regulation 7(5) of [S.R. 2008 No. 286](#), regulation 3(3) of [S.R. 2011 No. 291](#), regulation 3(1) of [S.R. 2012 No. 44](#) and regulation 2 of [S.R. 2013 No. 246](#)

- (5) In regulation 8B (credits for incapacity for work or limited capability for work)(4)—
- (a) in paragraph (2) after “paragraphs” insert “(2A),”;
 - (b) after paragraph (2) insert—
 - “(2A) This regulation shall not apply to a week where—
 - (a) under paragraph (2)(a)(i) the person concerned was not entitled to incapacity benefit, severe disablement allowance or maternity allowance;
 - (b) paragraph (2)(a)(ii) or (v) apply; or
 - (c) under paragraph (2)(a)(iv) the person concerned was not entitled to an employment and support allowance by virtue of section 1(2)(a) of the Welfare Reform Act,and the person concerned was entitled to universal credit for any part of that week.”.
- (6) After regulation 8F (credits for the purposes of entitlement to contribution-based jobseeker’s allowance following official error) insert—

“Credits for persons entitled to universal credit

8G.—(1) For the purposes of entitlement to a benefit to which this regulation applies, a person shall be credited with a Class 3 contribution in respect of a week if that person is entitled to universal credit under Part 2 of the Welfare Reform (Northern Ireland) Order 2015 for any part of that week.

- (2) This regulation applies to—
- (a) a Category A retirement pension;
 - (b) a Category B retirement pension;
 - (c) a widowed parent’s allowance;
 - (d) a bereavement allowance.”.

Modifications etc. (not altering text)

- C1** Reg. 51(6) amended (6.4.2017) by [The Pensions \(2015 Act\) \(Consequential, Supplementary and Incidental Amendments\) Order \(Northern Ireland\) 2017 \(S.R. 2017/66\)](#), **art. 30**, reg. 1(2)(c) (with arts. 2, 3)

Commencement Information

- I1** Reg. 51 comes into operation in accordance with [reg. 1\(1\)](#)

Amendment of the Social Security (Crediting and Treatment of Contributions, and National Insurance Numbers) Regulations

52. In regulation 1(2) of the Social Security (Crediting and Treatment of Contributions, and National Insurance Numbers) Regulations (Northern Ireland) 2001(5) (interpretation)—

- (a) for the definition of “contribution-based jobseeker’s allowance” and “income-based jobseeker’s allowance” substitute—

(4) Regulation 8B was inserted by regulation 2(6) of [S.R. 1996 No. 430](#) and amended by regulation 3 of [S.R. 2000 No. 404](#), regulation 2 of [S.R. 2003 No. 151](#), regulation 2(3) of [S.R. 2007 No. 306](#), regulation 7(6) of [S.R. 2008 No. 286](#) and regulation 2(2) of [S.R. 2010 No. 109](#)

(5) [S.R. 2001 No. 102](#)

““contribution-based jobseeker’s allowance” means an allowance under the Jobseekers Order as amended by the provisions of Part 1 of Schedule 12 to the Welfare Reform (Northern Ireland) Order 2015 that remove references to an income-based allowance, and a contribution-based allowance under the Jobseekers Order as that Order has effect apart from those provisions;”;

- (b) for the definition of “contributory employment and support allowance”⁽⁶⁾ substitute—

““contributory employment and support allowance” means an allowance under Part 1 of the Welfare Reform Act as amended by the provisions of Schedule 3, and Part 1 of Schedule 12, to the Welfare Reform (Northern Ireland) Order 2015 that remove references to an income-related allowance, and a contributory allowance under Part 1 of the Welfare Reform Act as that Part has effect apart from those provisions;”;

- (c) after the definition of “earnings factor”, insert—

““income-based jobseeker’s allowance” has the same meaning as in the Order;”.

Commencement Information

I2 Reg. 52 comes into operation in accordance with [reg. 1\(1\)](#)

Amendment of the Transfer of State Pensions and Benefits Regulations

53. In regulation 1(2) of the Transfer of State Pensions and Benefits Regulations 2007 (interpretation)⁽⁷⁾ in the definition of “relevant benefit”⁽⁸⁾—

- (a) for paragraph (ca) substitute—

“(ca) a jobseeker’s allowance under the Jobseekers (Northern Ireland) Order 1995 as amended by the provisions of Part 1 of Schedule 12 to the Welfare Reform (Northern Ireland) Order 2015 that remove references to an income-based allowance, and a contribution-based allowance under the Jobseekers (Northern Ireland) Order 1995 as it has effect apart from those provisions;”;

- (b) for paragraph (da) substitute—

“(da) employment and support allowance under Part 1 of the Welfare Reform Act 2007 as amended by the provisions of Schedule 3, and Part 1 of Schedule 12, to the Welfare Reform (Northern Ireland) Order 2015 that remove references to an income-related allowance, and a contributory allowance under Part 1 of the Welfare Reform Act 2007 as that Part has effect apart from those provisions;”.

Commencement Information

I3 Reg. 53 comes into operation in accordance with [reg. 1\(1\)](#)

⁽⁶⁾ The definition of “contributory employment and support allowance” was inserted by regulation 28(2)(c) of [S.R. 2008 No. 286](#)

⁽⁷⁾ [S.I. 2007/1398](#)

⁽⁸⁾ The definition of “relevant benefit” was amended by regulation 3(2)(c) of [S.I. 2010/1825](#) and regulation 74(2) of [S.I. 2013/630](#)

Changes to legislation:

There are currently no known outstanding effects for the The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations (Northern Ireland) 2016, CHAPTER 7.