
STATUTORY RULES OF NORTHERN IRELAND

2019 No. 7 (C. 2)

SOCIAL SECURITY

**The Welfare Reform (Northern Ireland) Order
2015 (Commencement No. 14 and Savings
and Transitional Provisions) Order 2019**

Made - - - - 31st January 2019

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by Article 2(2), (3)(a) and (4) of the Welfare Reform (Northern Ireland) Order 2015⁽¹⁾.

Those powers are exercisable by the Secretary of State by virtue of Article 4(1)(a) of the Welfare Reform (Northern Ireland) Order 2015.

Citation and interpretation

1.—(1) This Order may be cited as the Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 14 and Savings and Transitional Provisions) Order 2019.

(2) In this Order—

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

“the No. 8 Order” means the Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 8 and Transitional and Transitory Provisions) Order 2017⁽²⁾;

“the No. 9 Order” means the Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 9 and Transitional and Transitory Provisions) Order 2017⁽³⁾;

“the No. 10 Order” means the Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 10 and Transitional and Transitory Provisions and Commencement No. 9 and Transitional and Transitory Provisions (Amendment)) Order 2018⁽⁴⁾;

“the No. 11 Order” means the Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 11 and Transitional and Transitory Provisions) Order 2018⁽⁵⁾;

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- (1) [S.I. 2015/2006 \(N.I.\)](#).
(2) [S.R. 2017 No. 190 \(C. 11\)](#).
(3) [S.R. 2017 No. 216 \(C. 13\)](#).
(4) [S.R. 2018 No. 1 \(C. 1\)](#).
(5) [S.R. 2018 No. 97 \(C. 8\)](#).

“the No. 12 Order” means the Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 12 and Transitional and Transitory Provisions and Commencement No. 9, 10 and 11 and Transitional and Transitory Provisions (Amendment)) Order 2018⁽⁶⁾;

“the Claims and Payments Regulations 1987” means the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987⁽⁷⁾;

“employment and support allowance” means an employment and support allowance under Part 1 of the Welfare Reform Act (Northern Ireland) 2007⁽⁸⁾;

“Her Majesty’s forces” has the same meaning in the Armed Forces Act 2006⁽⁹⁾;

“jobseeker’s allowance” means a jobseeker’s allowance under the Jobseekers (Northern Ireland) Order 1995⁽¹⁰⁾;

“joint-claim couple” has the same meaning as in the Jobseekers (Northern Ireland) Order 1995;

“the UC Commencement Orders” means the No. 8 Order, the No. 9 Order, the No. 10 Order, the No. 11 Order and the No. 12 Order;

“UC couple” means a couple as defined in Article 45 of the Order;

“UC joint claimants” means joint claimants as defined in Article 46 of the Order;

“UC provisions” means the provisions of the Order listed in Schedule 1 to the No. 8 Order;

“UC single claimant” means a single claimant as defined in Article 46 of the Order.

(3) In this Order—

- (a) “frontier worker” means a person, other than a person referred to in sub-paragraph (b), who is in Northern Ireland for the purposes of Article 9(1)(c) of the Order but who does not reside in Great Britain or Northern Ireland;
- (b) the person referred to is a crown servant or member of Her Majesty’s forces posted overseas (where “crown servant” and “posted overseas” have the same meanings as in regulation 10 of the Universal Credit Regulations (Northern Ireland) 2016⁽¹¹⁾).

Appointed day – coming into force of universal credit provisions and abolition of income-related employment and support allowance and income-based jobseeker’s allowance

2.—(1) The day appointed for the coming into force of the UC provisions, in so far as they are not already in force, in relation to the case of a claim referred to in paragraph (2) and any award that is made in respect of the claim, is the day appointed in accordance with paragraph (3).

(2) The claims referred to are—

- (a) a claim for universal credit that is made on or after 1st February 2019 in respect of a period that begins on or after 1st February 2019 where, on the date that the claim is made, the claimant (in the case of UC joint claimants, either claimant) resides outside Northern Ireland;
- (b) a claim for universal credit that is made on or after 1st February 2019 in respect of a period that begins on or after 1st February 2019 where, on the date that the claim is made, the claimant resides in a postcode district in Northern Ireland that has not been included in the Lists of Relevant Districts referred to by one of the UC Commencement Orders.

(3) The day appointed in relation to the case of a claim referred to in paragraph (2), and any award that is made in respect of the claim, is the first day of the period in respect of which the claim is made.

⁽⁶⁾ S.R. 2018 No. 138 (C. 12).

⁽⁷⁾ S.R.1987 No. 465.

⁽⁸⁾ 2007 c. 2 (N.I.).

⁽⁹⁾ 2006 c. 52.

⁽¹⁰⁾ S.I. 1995/2705 (N.I. 15).

⁽¹¹⁾ S.R. 2016 No. 216.

(4) Article 4(6) of the No. 8 Order applies for the purposes of paragraph (3) as it applies for the purposes of Article 4(5) of the No. 8 Order.

(5) The day appointed for the coming into force of the provisions referred to in Article 6(1)(a) to (c) of the No. 8 Order (day appointed for the abolition of income-related employment and support allowance and income-based jobseeker's allowance), in so far as they are not already in force, in relation to the case of a claim referred to in paragraph (6), and any award that is made in respect of the claim, is the day appointed in accordance with paragraph (7).

(6) The claims referred to are—

- (a) a claim for universal credit that is made on or after 1st February 2019 in respect of a period that begins on or after 1st February 2019 where, on the date that the claim is made, the claimant (in the case of UC joint claimants, either claimant) resides outside Northern Ireland;
- (b) a claim for an employment and support allowance or a jobseeker's allowance that is made on or after 1st February 2019 in respect of a period that begins on or after 1st February 2019 where, on the date that the claim is made, the claimant (in the case of a claim for a jobseeker's allowance by a joint-claim couple, or a claim for either allowance by a person who would form part of UC couple for the purposes of universal credit, either member of the couple) resides outside Northern Ireland;
- (c) a claim for universal credit that is made on or after 1st February 2019 in respect of a period that begins on or after 1st February 2019 where, on the date on which the claim is made, the claimant resides in a postcode district in Northern Ireland that has not been included in the Lists of Relevant Districts referred to by one of the UC Commencement Orders;
- (d) a claim for an employment and support allowance or a jobseeker's allowance that is made on or after 1st February 2019 in respect of a period that begins on or after 1st February 2019 where, on the date on which the claim is made, the claimant resides in a postcode district in Northern Ireland that has not been included in the Lists of Relevant Districts referred to by one of the UC Commencement Orders;
- (e) a claim for an employment and support allowance or a jobseeker's allowance other than one referred to in sub-paragraphs (b) and (d) that is made or treated as made during the relevant period by a UC single claimant or by either of two UC joint claimants who has or have made a claim for universal credit under sub-paragraph (a) and (c).

(7) The day appointed in relation to the case of a claim referred to in paragraph (6), and any award that is made in respect of the claim, is the first day of the period in respect of which the claim is made.

(8) Paragraphs (4), (5), (6) and (7) of Article 6 of the No. 8 Order apply in relation to a claim for universal credit referred to in paragraph (6)(a) or (c) (and any award that is made in respect of the claim) as they apply to a claim for universal credit referred to in sub-paragraph (a) or (b) of Article 6(2) of the No. 8 Order (and any award that is made in respect of the claim).

(9) Article 7(8) of the No. 8 Order applies for the purposes of paragraph (7) as it applies for the purposes of Article 6(3) of the No. 8 Order.

(10) Article 24 of the No. 8 Order applies as though the reference in paragraph (1) of that Article to Article 4(3) and (4)(a) of that Order included a reference to paragraphs (1) and (2).

(11) No claim may be made for universal credit on or after 1st February 2019 by a UC single claimant who is, or UC joint claimants each of whom is, a frontier worker.

(12) Articles 10 to 23 of the No. 8 Order apply in connection with the coming into force of the provisions referred to in Article 6(1)(a) to (c) of the No. 8 Order, in relation to the case of a claim referred to in paragraph (6), and any award made in respect of the claim, as they apply in connection with the coming into force of those provisions in relation to the case of a claim referred to in Article 6(2) of the No. 8 Order and any award that is made in respect of the claim.