STATUTORY RULES OF NORTHERN IRELAND

2026 No. 146

SOCIAL SECURITY

The Universal Credit, Housing Benefit, Employment and Support Allowance and State Pension Credit (Carer's Allowance Reassessment Capital Disregard) (Amendment) Regulations (Northern Ireland) 2026

Made - - - -	*9th July 2026*
Coming into operation	*16th July 2026*

The Department for Communities(**a**) makes the following Regulations in exercise of the powers conferred by sections 132(3) and (4) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**b**), and now vested in it(**c**), sections 15(3) and (6) and 19(1) to (3) of the State Pension Credit Act (Northern Ireland) 2002(**d**), sections 17(1) and (3) and 25(2) of the Welfare Reform Act (Northern Ireland) 2007(**e**) and Article 48 of, and paragraph 4(1) and (3) of Schedule 1 to, the Welfare Reform (Northern Ireland) Order 2015(**f**).

Regulations 3 and 4 are made with the consent of the Department of Finance(**g**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Universal Credit, Housing Benefit, Employment and Support Allowance and State Pension Credit (Carer's Allowance Reassessment Capital Disregard) (Amendment) Regulations (Northern Ireland) 2026 and come into operation on 16th July 2026.

(2) The Interpretation Act (Northern Ireland) 1954(**h**) shall apply to these Regulations as it applies to an Act of the Assembly.

(**a**) See section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))
(**b**) 1992 c. 7; section 171(1) was amended by paragraph 36 of Schedule 1, and Schedule 2 to, the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 (S.I. 1994/1898 (N.I. 12)) and paragraph 5 of Schedule 4 to, the Tax Credits Act 2002 (c. 21)
(**c**) See Article 8(b) of S.R. 1999 No. 481
(**d**) 2002 c. 14 (N.I.)
(**e**) 2007 c. 2 (N.I.); section 25(2) was amended by Article 57(2)(b) of the Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006 (N.I. 1))
(**f**) S.I. 2015/2006 (N.I. 1); see Article 2 of the Welfare Reform (Northern Ireland) Order 2015 (Cessation of Transitory Provision) Order 2020 (S.I. 2020/927)
(**g**) See section 171(6A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 as inserted by Article 3(3) of the Social Security (Amendment) (Northern Ireland) Order 1993 (S.I. 1993/1579 (N.I. 8)); see also Article 6(b) of S.R. 1999 No. 481 and section 1(4) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))
(**h**) 1954 c. 33 (N.I.)

Amendment of the State Pension Credit Regulations

2. After paragraph 20AA of Schedule 5 to the State Pension Credit Regulations (Northern Ireland) 2003(**a**) (income from capital), insert—

"**20AB.** A payment to the person made by the Department as a result of a recalculation of carer's allowance, carried out in consequence of the report of the Independent Review of Carer's Allowance Overpayments dated 21st July 2025(**b**).".

Amendment of the Housing Benefit Regulations

3. After paragraph 9A of Schedule 7 to the Housing Benefit Regulations (Northern Ireland) 2006(**c**) (capital to be disregarded), insert—

"**9AA.** A payment to the person made by the Department as a result of a recalculation of carer's allowance, carried out in consequence of the report of the Independent Review of Carer's Allowance Overpayments dated 21st July 2025.".

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations

4. After paragraph 22A of Schedule 7 to the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006(**d**) (capital to be disregarded), insert—

"**22B.** A payment to the person made by the Department as a result of a recalculation of carer's allowance, carried out in consequence of the report of the Independent Review of Carer's Allowance Overpayments dated 21st July 2025.".

Amendment of the Employment and Support Allowance Regulations

5. After paragraph 11A of Schedule 9 to the Employment and Support Allowance Regulations (Northern Ireland) 2008(**e**) (capital to be disregarded), insert—

"**11B.** A payment to the person made by the Department as a result of a recalculation of carer's allowance, carried out in consequence of the report of the Independent Review of Carer's Allowance Overpayments dated 21st July 2025.".

Amendment of the Universal Credit Regulations

6. After paragraph 18ZA of Schedule 10 to the Universal Credit Regulations (Northern Ireland) 2016(**f**) (capital to be disregarded), insert—

"**18ZB.** A payment to the person made by the Department as a result of a recalculation of carer's allowance, carried out in consequence of the report of the Independent Review of Carer's Allowance Overpayments dated 21st July 2025.".

(**a**) S.R. 2003 No. 28; paragraph 20AA was inserted by Article 10 and paragraph 6(a) of the Schedule to S.I. 2023/134

(**b**) https://www.gov.uk/government/publications/review-of-carers-allowance-overpayments/independent-review-of-carers-allowance-overpayments. A printed copy of the report can be obtained from the Department for Work and Pensions at Caxton House, Tothill Street, London, SW1H 9NA.

(**c**) S.R. 2006 No. 405; paragraph 9A was inserted by regulation 5(12)(a) of S.R. 2020 No. 108

(**d**) S.R. 2006 No. 406; paragraph 22A was inserted by Article 10 and paragraph 10(a) of the Schedule to S.I. 2023/134

(**e**) S.R. 2008 No. 280; to which there are amendments not relevant to these Regulations

(**f**) S.R. 2016 No. 216; paragraph 18ZA was inserted by Article 10 and paragraph 14(a) of the Schedule to S.I. 2023/134

Sealed with the Official Seal of the Department for Communities on 9th July 2026

(L.S.)

David Tarr
A senior officer of the Department for Communities

The Department of Finance hereby consents to regulations 3 and 4 of the foregoing regulations.

Sealed with the Official Seal of the Department of Finance on 9th July 2026

(L.S.)

Paul Duffy
A senior officer of the Department of Finance

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend various social security Regulations to make provision for the treatment, within the relevant benefits, of lump-sum payments of carer's allowance made by the Department as a result of the reassessment exercise conducted in response to the Independent Review of Carer's Allowance Overpayments, published on 21st July 2025.

Regulations 2 to 6 amend the State Pension Credit Regulations (Northern Ireland) 2003, the Housing Benefit Regulations (Northern Ireland) 2006, the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006, the Employment and Support Allowance Regulations (Northern Ireland) 2008 and the Universal Credit Regulations (Northern Ireland) 2016 respectively. Each amendment inserts a provision to ensure that lump-sum payments made as part of the carer's allowance reassessment exercise are disregarded as capital when determining entitlement to the relevant benefit.

These Regulations make provision for Northern Ireland only corresponding to provision made by regulations of the Secretary of State for Work and Pensions in relation to Great Britain. Accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), they are not subject to the requirement in section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

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