STATUTORY RULES OF NORTHERN IRELAND

2026 No. 4

SOCIAL SECURITY

The Universal Credit (Transitional Provisions) (Amendment) Regulations (Northern Ireland) 2026

Made - - - -	*8th January 2026*
Coming into operation	*29th January 2026*

The Department for Communities(**a**) makes the following Regulations in exercise of the powers conferred by Article 48(1) and (2) of, and paragraphs 1(1) and 4(1) and (2) of Schedule 6 to, the Welfare Reform (Northern Ireland) Order 2015(**b**).

The powers are exercisable by the Department for Communities by virtue of Article 2 of the Welfare Reform (Northern Ireland) Order 2015 (Cessation of Transitory Provision) Order 2020(**c**).

Citation and commencement

1. These Regulations may be cited as the Universal Credit (Transitional Provisions) (Amendment) Regulations (Northern Ireland) 2026 and shall come into operation on 29th January 2026.

Amendment of the Universal Credit (Transitional Provisions) Regulations

2.—(1) The Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016(**d**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 45 (migration notice)—

(a) in paragraph (3) for "and (3B)" substitute ", (3B) and (3E)";

(b) after paragraph (3B) insert—

"(3C) Paragraph (3E) applies where—

(a) a migration notice is issued to a claimant who is entitled to an award of income-based jobseeker's allowance, income-related employment and support allowance or income support; and

(b) the deadline day specified in the notice would be after the appointed day for Article 39(1)(a), (b) or (c) of the Order to come into operation in relation to the award.

(3D) Paragraph (3E) also applies where—

(**a**) The Department for Social Development was renamed the Department for Communities in accordance with section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))

(**b**) S.I. 2015/2006 (N.I. 1)

(**c**) S.I. 2020/927

(**d**) S.R. 2016 No. 226; relevant amending instruments are S.R. 2019 No. 152, S.R. 2021 No. 2, S.R. 2024 No. 5, S.R. 2025 No. 3

(a) a migration notice is issued to a claimant who is entitled to an award of housing benefit but not to an award of a benefit to which paragraph (3C)(a) refers; and

(b) the deadline day specified in the notice would be after the appointed day for Article 39(1)(d) of the Order to come into operation in relation to the award.

(3E) Where this paragraph applies, the deadline day may be the appointed day.

(3F) In paragraphs (3C) and (3D), the 'appointed day' in relation to an award is a day specified in an order made under Article 2(2) of the Order which is not dependent on the making of a claim for universal credit, ignoring any provision in the order that has the effect that the appointed day does not apply when the day that would otherwise be the appointed day falls within a run-on period.

(3G) In paragraph (3F)—

(a) a reference to a claim for universal credit includes a reference to an award of universal credit made without a claim where an order under Article 2(2) of the Order provides for that award to result in the appointment of a day for the coming into operation of Article 39(1)(a) or (b) of the Order in relation to the case of the award(**a**); and

(b) 'run-on period' means the two-week period mentioned in regulation 6(2A) or 47(1)(a) or in regulation 4(1) of the Universal Credit (Managed Migration and Miscellaneous Amendments) Regulations (Northern Ireland) 2019(**b**). ".

(3) After regulation 64 (claimants previously entitled to a severe disability premium) insert—

"Claimants who have lost certain transitional protection because of error

64A.—(1) Paragraph (2) applies to a person who—

(a) made a qualifying claim that did not result in an award because the Department could not verify their identity;

(b) despite the qualifying claim, continued to receive old style ESA; and

(c) has been awarded universal credit, having made a subsequent claim within a period of one month beginning with the day on which the Department notified them that they could do so for the purposes of this sub-paragraph.

(2) The Department may, for the purposes of regulation 19(1)(a) or 20(1)(a), treat the person as having been entitled to old style ESA on the date on which the subsequent claim was made or treated as made.

(3) Paragraph (4) applies to a person who—

(a) made a qualifying claim that did not result in an award because the Department could not verify their identity;

(b) despite the qualifying claim, continued to receive an award of income support, income-based jobseeker's allowance, or income-related employment and support allowance, that included a severe disability premium; and

(c) has been awarded universal credit, having made a subsequent claim within a period of one month beginning with the day on which the Department notified them that they could do so for the purposes of this sub-paragraph.

(4) The Department may, for the purposes of paragraph 3(a) of Schedule 2, treat the person as having been entitled to an award of income support, income-based jobseeker's allowance or income-related employment and support allowance that included a severe

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(**a**) Under Article 6(6) of the Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 8 and Transitional and Transitory Provisions) Order 2017 (S.R. 2017 No. 190) (C. 11) the reference to the case of an award of universal credit made without a claim includes a reference to an old style ESA award or old style JSA award (in either case, as defined in Article 2 of that instrument) that exists immediately before the appointed day

(**b**) S.R. 2019 No. 152, relevant amending instrument is S.R. 2020 No. 165

disability premium within the month immediately preceding the first day of the award of universal credit.

(5) Paragraph (6) applies to a person who—

(a) made a qualifying claim that did not result in an award because the Department could not verify their identity;

(b) despite the qualifying claim, continued to receive an award of income support, income-based jobseeker's allowance, or income-related employment and support allowance, that included an enhanced disability premium, a disability premium or a disabled child premium; and

(c) has been awarded universal credit, having made a subsequent claim within a period of one month beginning with the day on which the Department notified them that they could do so for the purposes of this sub-paragraph.

(6) The Department may—

(a) for the purposes of paragraph 4(a) of Schedule 3, treat the person as having been entitled to an award of income support, income-based jobseeker's allowance or income-related employment and support allowance that included an enhanced disability premium;

(b) for the purposes of paragraph 4(b) of Schedule 3, treat the person as having been entitled to an award of income support or income-based jobseeker's allowance that included a disability premium; and

(c) for the purposes of paragraph 4(c) of Schedule 3, treat the person as having been entitled to an award of income support or income-based jobseeker's allowance that included a disabled child premium,

within the month immediately preceding the first day of the award of universal credit.".

Sealed with the Official Seal of the Department for Communities on 8th January 2026

(L.S.)

Cherrie Arnold
A senior officer of the Department for Communities

EXPLANATORY NOTE

(This is not part of the Regulations)

These Regulations amend the Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016 (S.R. 2016 No. 226) ("Transitional Regulations").

Regulation 2(2) amends regulation 45 of the Transitional Regulations to ensure that recipients of certain social security benefits that are soon to be abolished, and who are issued universal credit migration notices shortly before the abolition, can access the transitional protection for which the Transitional Regulations provide. The amendment does this by aligning the deadline day set out in the migration notice with the day appointed for the abolition of the relevant benefit. Where a person is a recipient of housing benefit and another legacy benefit, the deadline day is to be determined by the appointed day for the other legacy benefit.

Regulation 2(3) inserts a new regulation 64A into the Transitional Regulations. Regulation 64A will overcome the disadvantage experienced by claimants who lose certain transitional protection because they made a claim for universal credit that had been refused on the ground of inadequate identity verification but their legacy benefits were incorrectly continued. The regulation does this by deeming those claimants as having continued to be entitled to various legacy benefits.

These Regulations make in relation to Northern Ireland provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and 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), are not subject to the

requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

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