

Next stage of the Abolition of Legacy Benefits - Amendment

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Introduction

1. This memo follows on from ADM Memo 1/26 & HB Memo 1/26 which gave guidance on the Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 18) (Abolition of Benefits) Order (Northern Ireland) 2025, SR 2025 No. 176 (“original Commencement No. 18 Order”). That Commencement Order is now amended through this new Order - The Welfare Reform (Northern Ireland) Order 2015 (Commencement No. 18) (Abolition of Benefits) (Amendment) Order (Northern Ireland) 2026. This memo gives guidance on the new Order and should be read in conjunction with ADM Memo 1/26 & HB Memo 1/26.

2. The original Commencement No. 18 Order is amended in relation to income-related Employment and Support Allowance and Housing Benefit for working age persons.

Abolition of income-related Employment and Support Allowance

3. For anyone whose income-related Employment and Support Allowance award is not already abolished the date of abolition will be **1.10.26**, except for
 - 3.1 those people who have a two-week run-on period of income-related Employment and Support Allowance still to elapse, for whom the abolition will take place at the end of the run-on period¹ **or**
 - 3.2 cases where an appointee is acting for the claimant immediately before 1.10.26, or where the Department determines an appointee was likely to be needed (in the six month period ending on 1.10.26), where there is no abolition date².
4. Where someone in the **3.2** cohort does make a claim to Universal Credit, or does not make a claim to Universal Credit by the deadline set in their managed migration notice, the normal abolition dates apply³ (i.e. where a claim was made, after the two-week run-on period⁴, or where no claim was made, after two weeks beginning with the deadline date)⁵.

1 Original Commencement No. 18 Order, art 3A(1); 2 art 3A(2); 3 art 3A(3);

4 UC (MM & Misc Amdts) Regs (NI), reg 4(1); 5 UC (TP) Regs (NI) 16, reg 47(1)(a)

Abolition of Housing Benefit

Leaving temporary or specified accommodation

5. The original Commencement No. 18 Order provided for the following abolition date for Housing Benefit claimants in temporary or specified accommodation,

who then leave that accommodation¹ (see paragraph 12 of ADM Memo 1/26 & HB Memo 1/26).

6. This now applies for the period from 14.11.25 up to (but not including) 1.10.26². From 1.10.26 they will be subject to the provisions set out in paragraph 7 below when leaving temporary or specified accommodation.

1 UC (TP) Regs (NI) 16, reg 2(1); 2 Original Commencement No. 18 Order, art 6

Not in temporary or specified accommodation

7. The date for the abolition of Housing Benefit for persons **not** in temporary or specified accommodation is **1.10.26**¹, except where the award of Housing Benefit

7.1 is already terminated²

7.2 is due to terminate at the end of a two-week run-on period³ (the abolition date being the day after the run-on period)

7.3 is made to a claimant also in receipt of old-style Employment and Support Allowance, who had an appointee appointed immediately before 1.10.26 or needs to have one appointed (see paragraph **3.2.** above - there being no abolition date)⁴

7.4 is for someone in prison (or serving a sentence in hospital)⁵ immediately before 1.10.26⁶ (the abolition date being the day after the day they are released from prison/hospital) **or**

7.5 is for someone over the qualifying age for State Pension Credit, including those in protected mixed-age couples (for whom there is no abolition date)⁷.

1 Original Commencement No. 18 Order, art 7(3); 2 art 7(1)(a); 3 art 7(1)(b); 4 art 7(4)(b), art 3A(2);

5 UC Regs (NI) 16, reg 19(1)(b) & (c); 6 Original Commencement No. 18 Order, art 7(2);

7 UC (TP) Regs (NI) 16, reg 4A(3) to (5); Original Commencement No. 18 Order, art 7(4)(a)

Annotations

The number of this memo should be annotated against the following ADM paragraphs: M5300 & M5433.

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