
STATUTORY INSTRUMENTS

2013 No. 381

The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Decisions and Appeals) Regulations 2013

PART 6

TERMINATION

Termination for failure to furnish information or evidence

47.—(1) This regulation applies where payment of a benefit to a person (“P”) has been suspended in full under—

- (a) regulation 44 (suspension in prescribed cases) and P subsequently fails to comply with a requirement for information or evidence under regulation 45 (provision of information or evidence) and more than one month has elapsed since the requirement was made; or
- (b) regulation 45(6) and more than one month has elapsed since the first payment was suspended.

(2) In a case to which this regulation applies, except where entitlement ceases on an earlier date other than under this regulation, the Secretary of State must decide that P ceases to be entitled to that benefit with effect from the date on which the payment of the benefit was suspended.

Termination in the case of entitlement to alternative benefits

48.—(1) This paragraph applies where an award of a jobseeker's allowance (“the existing benefit”) exists in favour of a person and, if that award did not exist and a claim was made by that person for an employment and support allowance (“the alternative benefit”), an award of the alternative benefit would be made on that claim.

(2) This paragraph applies where an award of an employment and support allowance (“the existing benefit”) exists in favour of a person and, if that award did not exist and a claim was made by that person for a jobseeker's allowance (“the alternative benefit”), an award of the alternative benefit would be made on that claim.

(3) In a case where paragraph (1) or (2) applies, if a claim for the alternative benefit is made, the Secretary of State may bring to an end the award of the existing benefit if satisfied that an award of the alternative benefit will be made.

(4) Where the Secretary of State brings an award of the existing benefit to an end under paragraph (3), the Secretary of State must end the award on the day immediately preceding the first day on which an award of the alternative benefit takes effect.

(5) Where an award of a jobseeker's allowance is made in accordance with this regulation, paragraph 4 of Schedule 1 to the Jobseekers Act (waiting days) does not apply.

Changes to legislation: There are currently no known outstanding effects for the The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Decisions and Appeals) Regulations 2013, PART 6. (See end of Document for details)

(6) Where an award of an employment and support allowance is made in accordance with this regulation, paragraph 2 (waiting days) of Schedule 2 (supplementary provisions) to the 2007 Act does not apply.

Changes to legislation:

There are currently no known outstanding effects for the The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Decisions and Appeals) Regulations 2013, PART 6.