
STATUTORY INSTRUMENTS

2013 No. 630

**The Universal Credit (Consequential, Supplementary,
Incidental and Miscellaneous Provisions) Regulations 2013**

PART 3

AMENDMENTS OF SECONDARY LEGISLATION

CHAPTER 10

NATIONAL INSURANCE CONTRIBUTIONS AND CREDITS

Amendment of the Social Security (Credits) Regulations 1975

70.—(1) The Social Security (Credits) Regulations 1975(1) are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of “the Act” insert—

““the 2012 Act” means the Welfare Reform Act 2012;”;

(b) for the definition of “contribution-based jobseeker’s allowance” substitute—

““contribution-based jobseeker’s allowance” means an allowance under the Jobseekers Act 1995 as amended by the provisions of Part 1 of Schedule 14 to the 2012 Act that remove references to an income-based allowance, and a contribution-based allowance under the Jobseekers Act 1995 as that Act has effect apart from those provisions;”;

(c) for the definition of “contributory employment and support allowance” substitute—

““contributory employment and support allowance” means an allowance under Part 1 of the Welfare Reform Act as amended by the provisions of Schedule 3, and Part 1 of Schedule 14, to the 2012 Act that remove references to an income-related allowance, and a contributory allowance under Part 1 of the Welfare Reform Act as that Part has effect apart from those provisions;”;

(d) after the definition of “relevant past year” insert—

““universal credit” means universal credit under Part 1 of the 2012 Act;”.

(3) In regulation 7 (credits for approved training)(2)—

(a) in paragraph (1), for “(2) and (3)” substitute “(2) to (4)”; and

(b) after paragraph (3), insert—

“(4) Paragraph (1) shall not apply to a person in respect of any week in any part of which that person was entitled to universal credit.”.

(1) [S.I. 1975/556](#).

(2) Regulation 7 was amended by [S.I. 1978/409](#), [1987/414](#), [1988/1439](#), [1988/1545](#) and [1991/387](#).

- (4) In regulation 8A (credits for unemployment)(3)—
- (a) for paragraph (2)(b), substitute—
- “(b) a week for the whole of which the person in relation to old style JSA—
- (i) satisfied or was treated as having satisfied the conditions set out in paragraphs (a), (c) and (e) to (h) of section 1(2) of the Jobseekers Act 1995 (conditions for entitlement to a jobseeker’s allowance); and
- (ii) satisfied the further condition specified in paragraph (3) below; or
- (ba) a week for the whole of which the person in relation to new style JSA—
- (i) satisfied or was treated as having satisfied the conditions set out in paragraphs (e) to (h) of section 1(2) of the Jobseekers Act 1995 (conditions for entitlement to a jobseeker’s allowance);
- (ii) satisfied or was treated as having satisfied the work-related requirements under section 6D and 6E of the Jobseekers Act 1995 (work search and work availability requirements); and
- (iii) satisfied the further condition specified in paragraph (3) below; or”;
- (b) in paragraph (2)(c), after “sub-paragraph (b)” insert “or (ba)”;
- (c) in paragraph (3), after “paragraph (2)(b)” insert “and (ba)”;
- (d) in paragraph (3)(b), after “paragraph (2)(b)” insert “or the conditions and requirements in paragraph (2)(ba)”;
- (e) for paragraph (5)(c), substitute—
- “(c) a week in respect of which, in relation to the person concerned—
- (i) an old style JSA was reduced in accordance with section 19 or 19A, or regulations made under section 19B, of the Jobseekers Act 1995; or
- (ii) a new style JSA was reduced in accordance with section 6J or 6K of the Jobseekers Act 1995; or”;
- (f) after paragraph (5)(dd) insert—
- “(de) a week where paragraph (2)(b), (ba) or (c) apply and the person concerned was entitled to universal credit for any part of that week; or”;
- (g) after paragraph (5) insert—
- “(6) In this regulation—
- “new style JSA” means a jobseeker’s allowance under the Jobseekers Act 1995 as amended by the provisions of Part 1 of Schedule 14 to the 2012 Act that remove references to an income-based allowance;
- “old style JSA” means a jobseeker’s allowance under the Jobseekers Act 1995 as it has effect apart from the amendments made by Part 1 of Schedule 14 to the 2012 Act that remove references to an income-based allowance.”.
- (5) In regulation 8B (credits for incapacity for work or limited capability for work)(4)—
- (a) in paragraph (2), after “paragraphs” insert “(2A),”;
- (b) after paragraph (2) insert—
- “(2A) This regulation shall not apply to a week where—

(3) Regulation 8A was inserted by S.I. 1996/2367 and amended by S.I. 2000/3120, 2001/518, 2001/1711, 2002/490, 2008/1554, 2010/424, 2010/1160 and 2012/2568.

(4) Regulation 8B was inserted by S.I. 1996/2367 and amended by S.I. 2000/3120, 2003/521, 2008/1554, 2010/385 and 2012/913.

- (a) under paragraph (2)(a)(i) the person concerned was not entitled to incapacity benefit, severe disablement allowance or maternity allowance;
- (b) paragraph (2)(a)(ii), (iva) or (v) apply; or
- (c) under paragraph (2)(a)(iv) the person concerned was not entitled to an employment and support allowance by virtue of section 1(2)(a) of the Welfare Reform Act,

and the person concerned was entitled to universal credit for any part of that week.”.

(6) After regulation 8F (credits for the purposes of entitlement to contribution-based jobseeker’s allowance following official error) insert—

“Credits for persons entitled to universal credit

8G.—(1) For the purposes of entitlement to a benefit to which this regulation applies, a person shall be credited with a Class 3 contribution in respect of a week if that person is entitled to universal credit under Part 1 of the Welfare Reform Act 2012 for any part of that week.

(2) This regulation applies to—

- (a) a Category A retirement pension;
- (b) a Category B retirement pension;
- (c) a widowed parent’s allowance;
- (d) a bereavement allowance.”.

Amendment of the Social Security (Crediting and Treatment of Contributions, and National Insurance Numbers) Regulations 2001

71.—(1) The Social Security (Crediting and Treatment of Contributions, and National Insurance Numbers) Regulations 2001(5) are amended as follows.

(2) In regulation 1(2) (interpretation)—

- (a) for the definition of “contribution-based jobseeker’s allowance” and “income-based jobseeker’s allowance” substitute—

““contribution-based jobseeker’s allowance” means an allowance under the Jobseekers Act 1995 as amended by the provisions of Part 1 of Schedule 14 to the Welfare Reform Act 2012 that remove references to an income-based allowance, and a contribution-based allowance under the Jobseekers Act 1995 as that Act has effect apart from those provisions;”;

- (b) for the definition of “contributory employment and support allowance” substitute—

““contributory employment and support allowance” means an allowance under Part 1 of the Welfare Reform Act as amended by the provisions of Schedule 3, and Part 1 of Schedule 14, to the Welfare Reform Act 2012 that remove references to an income-related allowance, and a contributory allowance under Part 1 of the Welfare Reform Act as that Part has effect apart from those provisions;”;

- (c) after the definition of “earnings factor”, insert—

““income-based jobseeker’s allowance” has the same meaning as in the Jobseekers Act 1995;”.

Amendment of the Social Security (Contributions) Regulations 2001

72.—(1) The Social Security (Contributions) Regulations 2001(6) are amended as follows.

(2) In regulation 1(2) (interpretation) for the definition of “a contribution-based jobseeker’s allowance” substitute—

““contribution-based jobseeker’s allowance” means an allowance under the Jobseekers Act 1995 as amended by the provisions of Part 1 of Schedule 14 to the Welfare Reform Act 2012 that remove references to an income-based allowance, and a contribution-based allowance under the Jobseekers Act 1995 as that Act has effect apart from those provisions;”.

Amendment of the Additional Pension and Social Security Pensions (Home Responsibilities) (Amendment) Regulations 2001

73.—(1) The Additional Pension and Social Security Pensions (Home Responsibilities) (Amendment) Regulations 2001(7) are amended as follows.

(2) After regulation 5A (earnings factor credits eligibility for pensioners to whom employment and support allowance was payable) insert—

“Earnings factor credits eligibility for certain persons entitled to universal credit

5B.—(1) For the purposes of subsection (3) of section 44C (earnings factor credits) of the Contributions and Benefits Act, a pensioner is eligible for earnings factor enhancement in respect of a week if that pensioner was a person entitled to an award of universal credit under Part 1 of the Welfare Reform Act 2012 in respect of any part of that week which includes—

- (a) if the person satisfies the condition in paragraph (2), an amount under regulation 27(1)(a) of the Universal Credit Regulations 2013 in respect of the fact that the person has limited capability for work;
- (b) an amount under regulation 27(1)(b) of those Regulations in respect of the fact that the person has limited capability for work and work-related activity; or
- (c) an amount under regulation 29(1) of those Regulations where the person has regular and substantial caring responsibilities for a severely disabled person,

or would include any of those amounts but for regulation 27(4) or 29(4) of those Regulations.

(2) The condition referred to in paragraph (1)(a) is that for each of the 52 weeks immediately prior to that week—

- (a) the person was entitled to universal credit in respect of the fact that the person had limited capability for work or would have included an amount in respect of the fact that the person had limited capability for work but for regulation 27(4) or 29(4) of the Universal Credit Regulations 2013; or
- (b) employment and support allowance under Part 1 (employment and support allowance) of the Welfare Reform Act 2007 (“the 2007 Act”)—
 - (i) was payable to the person;
 - (ii) would have been payable to the person but for the fact that the person did not satisfy the contribution condition in paragraph 1 or paragraph 2 of Schedule 1 to the 2007 Act;
 - (iii) would have been payable to the person but for the fact that the person had been entitled to it for the relevant maximum number of days under section 1A of the 2007 Act; or

(6) S.I. 2001/1004.

(7) S.I. 2001/1323.

(iv) would have been payable to the person but for the fact that under regulations the amount was reduced to nil because of—

(aa) receipt of other benefits; or

(bb) receipt of payments from an occupational pension scheme or personal pension scheme.

(3) Paragraph (2)(b) of this regulation is satisfied in respect of a week which falls between periods which are linked by virtue of regulations under paragraph 4 (linking periods) of Schedule 2 to the 2007 Act.”.

Amendment of the Transfer of State Pensions and Benefits Regulations 2007

74.—(1) The Transfer of State Pensions and Benefits Regulations 2007⁽⁸⁾ are amended as follows.

(2) In regulation 1(2) (interpretation), in the definition of “relevant benefit”⁽⁹⁾—

(a) for paragraph (c) substitute—

“(c) a jobseeker’s allowance under the Jobseekers Act 1995 as amended by the provisions of Part 1 of Schedule 14 to the Welfare Reform Act 2012 that remove references to an income-based allowance, and a contribution-based allowance under the Jobseekers Act 1995 as it has effect apart from those provisions;

(ca) a contribution-based jobseeker’s allowance under Part 2 of the Jobseekers (Northern Ireland) Order 1995;”;

(b) for paragraph (d) substitute—

“(d) employment and support allowance under Part 1 of the Welfare Reform Act 2007 as amended by the provisions of Schedule 3, and Part 1 of Schedule 14, to the Welfare Reform Act 2012 that remove references to an income-related allowance, and a contributory allowance under Part 1 of the Welfare Reform Act 2007 as that Part has effect apart from those provisions;

(da) contributory employment and support allowance under Part 1 of the Welfare Reform Act (Northern Ireland) 2007;”.

⁽⁸⁾ S.I. 2007/1398.

⁽⁹⁾ The definition was amended by S.I. 2010/1825.