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STATUTORY INSTRUMENTS

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**2013 No. 630**

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

**PART 3**

**AMENDMENTS OF SECONDARY LEGISLATION**

**CHAPTER 6**

**HOUSING AND COUNCIL TAX**

**Amendment of the Council Tax (Discount Disregards) Order 1992**

**55.** In article 3(2) of the Council Tax (Discount Disregards) Order 1992 (the severely mentally impaired)(1), after sub-paragraph (m) insert—

“(n) universal credit under Part 1 of the Welfare Reform Act the calculation of which includes an amount under regulation 27(1) of the Universal Credit Regulations 2013 in respect of the fact that the person in question has limited capability for work or limited capability for work and work-related activity or would include such an amount but for regulation 27(4) or 29(4) of those Regulations”.

**Amendment of the Council Tax (Administration and Enforcement) Regulations 1992**

**56.—**(1) The Council Tax (Administration and Enforcement) Regulations 1992(2) are amended as follows.

(2) In regulation 1(2) (interpretation), after the definition of “managing agent”, omit “and” and, after the definition of “premium”, insert—

“; and

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

(3) In regulation 32 (interpretation and application of Part VI), after paragraph (iiia) of the definition of “earnings” insert—

“(iiib) universal credit;”.

(4) In regulation 52(2)(b) (relationship between remedies), after “income support” insert “, universal credit”.

(5) In regulation 54(5)(d) and (6A) (joint and several liability : enforcement), after “income support” insert “ or universal credit”.

(6) In Schedule 3, in the Form of Attachment of Earnings Order, in the copy of regulation 32 of the Council Tax (Administration and Enforcement) Regulations 1992, after paragraph (iii) insert—

“(iiia) universal credit;”.

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(1) S.I. 1992/548; article 3(2) was amended by S.I. 1994/543, 1995/619, 1996/636, 1997/656, S.I. 2013/388 and S.I. 2013/591.

(2) S.I. 1992/613.

## **Amendment of the Housing Renewal Grants Regulations 1996**

**57.**—(1) The Housing Renewal Grants Regulations 1996(3) are amended as follows.

(2) Regulation 2(1) (interpretation)(4) is amended as follows—

(a) 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 2007 (“the 2007 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 2007 Act as that Part has effect apart from those provisions;”; and

(b) after the definition of “training allowance” insert—

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

(3) In regulation 10 (the applicable amount)(5)—

(a) in the first paragraph that is numbered “(3)”—

(i) after sub-paragraph (a)(iv) omit “or” and, after sub-paragraph (a)(v) insert—

“or

(vi) universal credit;”; and

(ii) after sub-paragraph (b) omit “or” and after sub-paragraph (c) insert—

“; or

(d) subject to paragraph (5), a relevant person who has a partner, where the partner is entitled to universal credit”;

(b) the second paragraph that is numbered “(3)” is re-numbered “(4)”; and

(c) after paragraph (4), insert—

“(5) For the purposes of paragraph (3)(d) and regulation 11(2)(b), where the relevant person and a partner of that person are parties to a polygamous marriage, the fact that they are partners will be disregarded if —

(a) one of them is a party to an earlier marriage that still subsists; and

(b) the other party to that earlier marriage is living in the same household.”.

(4) In regulation 11 (financial resources)—

(a) at the beginning insert “(1) Subject to paragraph (2),”; and

(b) after paragraph (1) insert—

“(2) Subject to regulation 10(5), where a relevant person in the case of the application—

(a) is entitled to universal credit; or

(b) is not entitled to universal credit but their partner is so entitled,

then the income of that relevant person for the purposes of paragraph (1) shall be taken to be nil.”.

(5) In regulation 19 (treatment of child care charges)(6), in paragraphs (3)(b) and (3)(c)(ii), after “Employment and Support Allowance Regulations 2008” insert “or the Employment and Support Allowance Regulations 2013”.

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(3) [S.I. 1996/2890](#); regulation 2(1).

(4) Regulation 2(1) is amended by [S.I. 2013/388](#); there are other amendments that are not relevant to these Regulations.

(5) Regulation 10 was amended by [S.I. 2008/1190](#) and [2009/1807](#).

(6) Regulation 19(3) was amended by [S.I. 2009/1807](#).

(6) In regulation 31(10A)(b)(i) (notional income)(7) for the words from “in accordance with” to the end substitute “approved by the Secretary of State”.

### **Amendment of the Rent Repayment Orders (Supplementary Provisions) (England) Regulations 2007**

**58.**—(1) The Rent Repayment Orders (Supplementary Provisions) (England) Regulations 2007(8) are amended as follows.

(2) For regulation 1(3) substitute—

“(3) In these Regulations—

“the Act” means the Housing Act 2004(9);

“relevant award of universal credit” means an award as referred to in section 73(6A) of the Housing Act 2004.”.

(3) In regulation 2—

(a) in paragraph (1), after “housing benefit”, insert “or of a relevant award of universal credit”; and

(b) in paragraph (2), for the words from “for the total amount” to the end substitute—

“(a) in the case of housing benefit, for the total amount of housing benefit paid, such part of that amount as they believe is properly payable;

(b) in the case of a relevant award of universal credit, for the amount referred to in section 74(2A)(a) of the Act that was originally believed to apply, the amount that is now believed to apply (if different)”.

(4) in paragraph (3), after sub-paragraph (a) omit “and” and, after sub-paragraph (b) insert—

“, and (c) a relevant award of universal credit is properly payable if the person to whom, or in respect of whom, it is paid is entitled to it under the Universal Credit Regulations 2013 (whether on the initial decision or as subsequently revised or superseded or further revised or superseded)”.

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(7) Regulation 31(10A) was inserted by [S.I. 1999/1523](#).

(8) [S.I. 2007/572](#).

(9) c. 34. Subsection (6A) is inserted into section 73 by regulation 18 of these Regulations.