
STATUTORY INSTRUMENTS

2013 No. 630

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

PART 3

AMENDMENTS OF SECONDARY LEGISLATION

CHAPTER 5

EDUCATION AND EMPLOYMENT

Amendment of the Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996

50.—(1) The Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996⁽¹⁾ are amended as follows.

(2) In the title of the Regulations, for “Jobseeker's Allowance and Income Support” substitute “Benefits”.

(3) In regulation 1 (citation and commencement), for “Jobseeker's Allowance and Income Support” substitute “Benefits”.

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

(a) in the definition of “recoupable benefit”, after “income-related employment and support allowance” insert “, universal credit”;

(b) after the definition of “Secretary of the Tribunals” insert—

““universal credit” means universal credit under Part 1 of the Welfare Reform Act 2012⁽³⁾”.

(5) In regulation 4 (duties of the employment tribunals and of the Secretary of the Tribunals in respect of monetary awards)⁽⁴⁾, in paragraphs (1) and (8), after “income-related employment and support allowance” insert “, universal credit”.

(6) In regulation 8 (recoupment of benefit)⁽⁵⁾—

(a) in paragraph (1), after “income-related employment and support allowance” insert “, universal credit”;

(b) in paragraph (2)(b) at the beginning insert “(i)”, and after “is attributable” insert—

“; or

(ii) in the case of an employee entitled to an award of universal credit for any period (“the UC period”) which coincides with any part of the period

(1) [S.I. 1996/2349](#).

(2) Regulation 2(1) has been amended in ways that are not relevant to these Regulations.

(3) [2012 c.5](#).

(4) Regulation 4 was amended by the Employment Rights (Dispute Resolution) Act 1998 (c.8) and [S.I. 2010/2429](#).

(5) Regulation 8 was amended by [S.I. 2010/2429](#).

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to which the prescribed element is attributable, any amount paid by way of or on account of universal credit for the UC period that would not have been paid if the person's earned income for that period was the same as immediately before the period to which the prescribed element is attributable”;

(c) in paragraph (3)(b), at the beginning insert “(i)”, and after “described in (a) above” insert—
“; or

(ii) in the case of an employee entitled to an award of universal credit for any period (“the UC period”) which coincides with any part of the protected period falling before the date described in (a) above, any amount paid by way of or on account of universal credit for the UC period that would not have been paid if the person's earned income for that period was the same as immediately before the protected period”; and

(d) after paragraph (11) insert—

“(12) For the purposes of paragraphs (2)(b)(ii) and (3)(b)(ii), “earned income” has the meaning given in regulation 52 of the Universal Credit Regulations 2013.”.

(7) In regulation 10 (provisions relating to determination of amount paid by way of or paid as on account of benefit)(6), in paragraphs (1) and (2), after “income-related employment and support allowance” insert “, universal credit”.