
STATUTORY INSTRUMENTS

2015 No. 1754

The Universal Credit and Miscellaneous
Amendments Regulations 2015

PART 2

PREVENTION OF DUAL PROVISION OF BENEFIT FOR CARE

CHAPTER 2

The carer element of universal credit and income support

14.—(1) Paragraph 13 (severe disability premium) of Schedule 2 (applicable amounts) to the Income Support (General) Regulations 1987(1) is amended as follows.

(2) In sub-paragraph (2)(a)(iii), after “the Contributions and Benefits Act” insert “or has an award of universal credit which includes the carer element”.

(3) In the closing words of sub-paragraph (2)(b)—

(a) after “carer’s allowance” insert “or has an award of universal credit which includes the carer element”; and

(b) after “such an allowance” insert “or has such an award of universal credit”.

(4) In sub-paragraph (3A)(b)—

(a) after “carer’s allowance” insert “or having an award of universal credit which includes the carer element”; and

(b) after “be so entitled and in receipt” insert “of carer’s allowance or have such an award of universal credit”.

(5) In sub-paragraph (3ZA), after “carer’s allowance” insert “or universal credit which includes the carer element”.

(6) In sub-paragraph (5)—

(a) after “carer’s allowance” insert “or as having an award of universal credit which includes the carer element”; and

(b) after “that allowance” insert “or had such an award”.

(7) After sub-paragraph (5) insert—

“(6) For the purposes of this paragraph, a person has an award of universal credit which includes the carer element if the person has an award of universal credit which includes an amount which is the carer element under regulation 29 of the Universal Credit Regulations 2013.”.

(1) S.I. 1987/1967; relevant amending instruments are S.I. 1988/663, 1994/2139, 2000/681, 2002/490 and 2497, 2007/719 and 2010/1160.

The carer element of universal credit and jobseeker's allowance

15.—(1) Schedule 1 (applicable amounts) to the Jobseeker's Allowance Regulations 1996(2) is amended as follows.

(2) In paragraph 15 (severe disability premium)—

- (a) in sub-paragraph (1)(c), after “Benefits Act” insert “or has an award of universal credit which includes the carer element”;
- (b) in sub-paragraph (2)(d), after “Benefits Act”, in both places it occurs, insert “or has an award of universal credit which includes the carer element”;
- (c) in sub-paragraph (5)(b)—
 - (i) after “carer's allowance” insert “or having an award of universal credit which includes the carer element”; and
 - (ii) after “be so entitled and in receipt” insert “of carer's allowance or have such an award of universal credit”;
- (d) in sub-paragraph (7), after “carer's allowance” insert “or universal credit which includes the carer element”;
- (e) in sub-paragraph (9)—
 - (i) after “carer's allowance” insert “or as having an award of universal credit which includes the carer element”; and
 - (ii) after “that allowance” insert “or had such an award”; and
- (f) after sub-paragraph (9) insert—

“(10) For the purposes of this paragraph, a person has an award of universal credit which includes the carer element if the person has an award of universal credit which includes an amount which is the carer element under regulation 29 of the Universal Credit Regulations 2013.”.

(3) In paragraph 20I (severe disability premium – joint claim couples)—

- (a) in sub-paragraph (1)(d), after “Benefits Act”, in both places it occurs, insert “or has an award of universal credit which includes the carer element”;
- (b) in sub-paragraph (4)(b)—
 - (i) after “carer's allowance” insert “or having an award of universal credit which includes the carer element”; and
 - (ii) after “be so entitled and in receipt” insert “of carer's allowance or have such an award of universal credit”;
- (c) in sub-paragraph (6), after “carer's allowance” insert “or universal credit which includes the carer element”;
- (d) in sub-paragraph (7)—
 - (i) after “carer's allowance” insert “or as having an award of universal credit which includes the carer element”; and
 - (ii) after “that allowance” insert “or had such an award”; and
- (e) after sub-paragraph (7) insert—

“(8) For the purposes of this paragraph, a person has an award of universal credit which includes the carer element if the person has an award of universal credit which includes an amount which is the carer element under regulation 29 of the Universal Credit Regulations 2013.”.

(2) [S.I. 1996/207](#); relevant amending instruments are [S.I. 2000/681](#), [2002/490](#), [2003/511](#), [2007/719](#) and [2010/1160](#).

The carer element of universal credit and state pension credit

16.—(1) The State Pension Credit Regulations 2002⁽³⁾ are amended as follows.

(2) In regulation 6(5)(b) (amount of the guarantee credit), after the words “1992 Act” insert “, or has an award of universal credit which includes the carer element under regulation 29 of the Universal Credit Regulations 2013,”.

(3) In paragraph 1 of Part 1 of Schedule 1 (circumstances in which persons are treated as being or not being severely disabled)—

- (a) in sub-paragraph (1)(a)(iii), after the words “(carer’s allowance)” insert “, or has an award of universal credit which includes the carer element,”;
- (b) in the closing words of sub-paragraph (1)(b)—
 - (i) after the words “under section 70 of the 1992 Act” insert “, or has an award of universal credit which includes the carer element,”; and
 - (ii) after the words “such an allowance” insert “under section 70, or has an award of universal credit which includes the carer element,”;
- (c) in sub-paragraph (1)(c)(iv), after the words “1992 Act” insert “, or has an award of universal credit which includes the carer element, in”;
- (d) in sub-paragraph (2)(c), after the words “1992 Act” insert “, or as having an award of universal credit which includes the carer element,”; and
- (e) after sub-paragraph (3) insert—

“(4) For the purposes of this paragraph, a person has an award of universal credit which includes the carer element if the person has an award of universal credit which includes an amount which is the carer element under regulation 29 of the Universal Credit Regulations 2013.”.

The carer element of universal credit and housing benefit

17.—(1) Schedule 3 (applicable amounts) to the Housing Benefit Regulations 2006⁽⁴⁾ is amended as follows.

(2) In paragraph 14 (severe disability premium)—

- (a) in sub-paragraph (2)(a)(iii), after “section 70 of the Act” insert “or has an award of universal credit which includes the carer element under regulation 29 of the Universal Credit Regulations 2013”;
- (b) in the closing words of sub-paragraph (2)(b)—
 - (i) after “carer’s allowance” insert “or has an award of universal credit which includes the carer element”; and
 - (ii) after “such an allowance” insert “or has such an award of universal credit”;
- (c) in sub-paragraph (5)(b)—
 - (i) after “carer’s allowance” insert “or having an award of universal credit which includes the carer element”; and
 - (ii) after “be so entitled and in receipt” insert “or have such an award of universal credit”;
- (d) in sub-paragraph (6), after “carer’s allowance” insert “or universal credit which includes the carer element”; and
- (e) in sub-paragraph (7)—

⁽³⁾ S.I. 2002/1792; relevant amending instruments are S.I. 2003/2274, 2007/719 and 2015/457.

⁽⁴⁾ S.I. 2006/213; relevant amending instruments are S.I. 2007/719, 2009/583 and 2010/1160.

- (i) after “carer’s allowance” insert “or as having an award of universal credit which includes the carer element”; and
 - (ii) after “that allowance” insert “or had such an award of universal credit”.
- (3) In paragraph 20 (amounts of premiums specified in Part 3)—
- (a) in sub-paragraph (6)(b)(i), after “carer’s allowance” insert “or who has an award of universal credit which includes the carer element under regulation 29 of the Universal Credit Regulations 2013”; and
 - (b) in sub-paragraph (6)(b)(ii), after “such an allowance” insert “or such an award of universal credit”.

18.—(1) Schedule 3 (applicable amounts) to the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006⁽⁵⁾ is amended as follows.

- (2) In paragraph 6 (severe disability premium)—
- (a) in sub-paragraph (2)(a)(iii), after “carer’s allowance” insert “under section 70 of the Act or has an award of universal credit which includes the carer element under regulation 29 of the Universal Credit Regulations 2013”;
 - (b) in the closing words of sub-paragraph (2)(b)—
 - (i) after “carer’s allowance” insert “or has an award of universal credit that includes the carer element”; and
 - (ii) after “such an allowance” insert “or has such an award of universal credit”;
 - (c) in sub-paragraph (7)(b)—
 - (i) after “carer’s allowance” insert “or having an award of universal credit which includes the carer element”; and
 - (ii) after “be so entitled and in receipt” insert “or have such an award of universal credit”;
 - (d) in sub-paragraph (8)(a), after “carer’s allowance” insert “or an award of universal credit which includes the carer element”; and
 - (e) in sub-paragraph (8)(b)—
 - (i) after “carer’s allowance” insert “or as having an award of universal credit which includes the carer element”; and
 - (ii) after “that allowance” insert “or had such an award of universal credit”.
- (3) In paragraph 12 (amount of premiums specified in Part 3)—
- (a) in sub-paragraph (1)(b)(i), after “carer’s allowance” insert “or who has an award of universal credit which includes the carer element under regulation 29 of the Universal Credit Regulations 2013,”; and
 - (b) in sub-paragraph (1)(b)(ii), after “such an allowance” insert “or such an award of universal credit”.

The carer element of universal credit and employment and support allowance

19.—(1) Paragraph 6 (severe disability premium) of Schedule 4 (amounts) to the Employment and Support Allowance Regulations 2008⁽⁶⁾ is amended as follows.

(5) [S.I. 2006/214](#); relevant amending instruments are [S.I. 2007/719](#) and [2010/1160](#).

(6) [S.I. 2008/794](#); relevant amending instruments are [S.I. 2010/1160](#) and [2014/2888](#).

(2) In sub-paragraph (2)(a)(iii), for “a carer’s allowance under section 70 of the Contributions and Benefits Act” substitute “a carer’s allowance or has an award of universal credit which includes the carer element”.

(3) In the closing words of sub-paragraph (2)(b)—

(a) after “carer’s allowance” insert “or has an award of universal credit which includes the carer element”; and

(b) after “such an allowance” insert “or has such an award of universal credit”.

(4) In sub-paragraph (5)(b)—

(a) after “carer’s allowance” insert “or having an award of universal credit which includes the carer element”; and

(b) after “be so entitled and in receipt” insert “of carer’s allowance or have such an award of universal credit”.

(5) In sub-paragraph (6), after “carer’s allowance” insert “or universal credit which includes the carer element”.

(6) In sub-paragraph (8)—

(a) after “carer’s allowance” insert “or as having an award of universal credit which includes the carer element”; and

(b) after “that allowance” insert “or had such an award”.

(7) In sub-paragraph (9)—

(a) the existing provision becomes new sub-paragraph (9)(a); and

(b) after new paragraph (a) insert—

“(b) A person has an award of universal credit which includes the carer element if the person has an award of universal credit which includes an amount which is the carer element under regulation 29 of the Universal Credit Regulations 2013.”.