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STATUTORY INSTRUMENTS

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**2023 No. 593**

**SOCIAL SECURITY**

**The Universal Credit (Childcare)  
(Amendment) Regulations 2023**

<i>Made</i>	- - - -	<i>30th May 2023</i>
<i>Laid before Parliament</i>		<i>31st May 2023</i>
<i>Coming into force</i>	- -	<i>28th June 2023</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 12(1) and (3), 40, 42(1), (2), (3)(a) and (6) of the Welfare Reform Act 2012<sup>(1)</sup>.

In accordance with section 173(1)(b) of the Social Security Administration Act 1992<sup>(2)</sup>, the Social Security Advisory Committee has agreed that the proposals in respect of these Regulations should not be referred to it.

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Universal Credit (Childcare) (Amendment) Regulations 2023 and come into force on 28th June 2023.

(2) These Regulations extend to England and Wales and Scotland.

**Amendment of the Universal Credit Regulations 2013**

2.—(1) The Universal Credit Regulations 2013<sup>(3)</sup> are amended as follows.

(2) For paragraph (3) of regulation 34 (amount of childcare costs element) substitute—

“(3) “*Other relevant support*” means payments out of funds provided by the Secretary of State or by Scottish or Welsh Ministers in connection with the claimant’s participation in work-related activity or training but does not include payments made by the Secretary of State where—

(a) the claimant—

(i) has taken up, or is due to take up, paid work; or

(ii) has increased, or is due to increase, their hours of paid work;

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(1) 2012 c. 5. Section 40 is cited for the meaning of “prescribed”.

(2) 1992 c. 5.

(3) S.I. 2013/376, amended by S.I. 2023/316; there are other amending instruments but none is relevant.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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- (b) the claimant is required to pay the charges for relevant childcare before they receive a payment of universal credit that reflects the increase in the claimant's earned income as a result of sub-paragraph (a); and
  - (c) if the payment is not taken into account in determining the charges paid by the claimant for childcare the claimant will be less likely to continue in paid work or maintain the increase in hours of paid work.”.
- (3) In regulation 36 (table showing amount of elements), in the table—
- (a) in the row under “Childcare costs element” showing the maximum amount for one child, for “£646.35” substitute “£950.92”;
  - (b) in the row under “Childcare costs element” showing the maximum amount for two or more children, for “£1,108.04” substitute “£1,630.15”.

Signed by authority of the Secretary of State for Work and Pensions

30th May 2023

*Mims Davies*  
Parliamentary Under Secretary of State  
Department for Work and Pensions

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Universal Credit Regulations 2013 ([S.I. 2013/376](#)) (“the UC Regulations”).

Regulation 2(2) amends regulation 34 of the UC Regulations. The amendment provides for certain payments made by the Secretary of State to be taken into account in determining the charges for childcare costs paid by the claimant. This is where the claimant is taking up or increasing their hours of paid work and needs to pay upfront childcare costs in order to do so.

Regulation 2(3) amends regulation 36 of the UC Regulations and increases the maximum amount which can be paid in respect of childcare costs in universal credit.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, public or voluntary sector is foreseen.