
DRAFT STATUTORY INSTRUMENTS

2013 No.

The Universal Credit Regulations 2013

PART 1

INTRODUCTION

Interpretation

2. In these Regulations—

“the Act” means the Welfare Reform Act 2012;

“additional statutory paternity pay” means additional statutory paternity pay under Part 12ZA of the Contributions and Benefits Act(1);

“attendance allowance” means—

- (a) an attendance allowance under section 64 of the Contributions and Benefits Act;
- (b) an increase of disablement pension under section 104 or 105 of that Act (increases where constant attendance needed and for exceptionally severe disablement);
- (c) a payment of industrial injuries benefit under regulations made under section 64(3)(a) of the Act in any case where the compensation or benefit to which a person was entitled immediately before the commencement of section 64 was—
 - (i) a payment in respect of the need for constant attendance under regulations made in accordance with section 111 of, and paragraph 7(2) of Schedule 8 to, the Contributions and Benefits Act (payments for constant attendance in workmen’s compensation cases), or
 - (ii) an increase in an allowance which was payable in respect of constant attendance under section 111 of, and paragraph 4 of Schedule 8 to, the Contributions and Benefits Act (industrial diseases benefit schemes);
- (d) a payment by virtue of article 14, 15, 16, 43 or 44 of the Personal Injuries (Civilians) Scheme 1983(2) or any analogous payment;
- (e) any payment based on the need for attendance which is paid as an addition to a war disablement pension;

“bereavement allowance” means an allowance under section 39B of the Contributions and Benefits Act(3);

“care leaver” has the meaning in regulation 8;

“carer’s allowance” means a carer’s allowance under section 70 of the Contributions and Benefits Act(4);

“carer element” has the meaning in regulation 29;

(1) Part 12ZA was inserted by section 2 of the Employment Act 2002 (c.22).

(2) S.I. 1983/686. Article 14 was substituted, and articles 15 and 16 were amended, by S.I. 2001/1420.

(3) Section 39B was inserted by section 55 of the Welfare Reform and Pensions Act 1999 (c.30).

(4) Section 70 has been amended by S.I. 1994/2556 and S.I. 2002/1457.

- “childcare costs element” has the meaning in regulation 31;
- “child element” has the meaning in regulation 24;
- “close relative”, in relation to a person, means—
- (a) a parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother or sister; and
 - (b) if any of the above is a member of a couple, the other member of the couple;
- “confinement” has the meaning in regulation 8;
- “Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992(5);
- “course of advanced education” has the meaning in regulation 12;
- “disability living allowance” means an allowance under section 71 of the Contributions and Benefits Act;
- “earned income” has the meaning in Chapter 2 of Part 6;
- “EEA Regulations” means the Immigration (European Economic Area) Regulations 2006(6);
- “employment and support allowance” means an allowance under Part 1 of the Welfare Reform Act 2007(7) as amended by Schedule 3 and Part 1 of Schedule 14 to the Welfare Reform Act 2012 (removing references to an income-related allowance);
- “ESA Regulations” means the Employment and Support Allowance Regulations 2013(8);
- “expected number of hours per week” has the meaning in regulation 88;
- “foster parent” means—
- (a) in relation to England, a person with whom a child is placed under the Fostering Services Regulations 2011(9);
 - (b) in relation to Wales, a person with whom a child is placed under the Fostering Services (Wales) Regulations 2003(10);
 - (c) in relation to Scotland, a foster carer or kinship carer with whom a child is placed under the Looked After Children (Scotland) Regulations 2009(11);
- “grant” has the meaning in regulation 68;
- “health care professional” means (except in regulation 98)—
- (a) a registered medical practitioner;
 - (b) a registered nurse; or
 - (c) an occupational therapist or physiotherapist registered with a regulatory body established by Order in Council under section 60 of the Health Act 1999(12);
- “housing costs element” has the meaning in regulation 25;
- “individual threshold” has the meaning in regulation 90(2);
- “industrial injuries benefit” means a benefit under Part 5 of the Contributions and Benefits Act;
- “ITEPA” means the Income Tax (Earnings and Pensions) Act 2003(13);

(5) 1992 c.4.
(6) S.I. 2006/1003.
(7) 2007 c.5.
(8) S.I.2013/XXX
(9) S.I. 2011/581.
(10) S.I. 2003/237 amended by S.I. 2003/896.
(11) S.S.I. 2009/210.
(12) 1999 c.8.
(13) 2003 c.1.

“jobseeker’s allowance” means an allowance under the Jobseekers Act 1995(14) as amended by Part 1 of Schedule 14 to the Act (removing references to an income-based allowance);

“local authority” means—

- (a) in relation to England, a county council, a district council, a parish council, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly;
- (b) in relation to Wales, a county council, a county borough council or a community council;
- (c) in relation to Scotland, a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994(15);

“LCW element” and “LCWRA element” have the meaning in regulation 27;

“looked after by a local authority” in relation to a child or young person means a child or young person who is looked after by a local authority within the meaning of section 22 of the Children Act 1989(16) or section 17(6) of the Children (Scotland) Act 1995(17);

“maternity allowance” means a maternity allowance under section 35 of the Contributions and Benefits Act;

“Medical Evidence Regulations” means the Social Security (Medical Evidence) Regulations 1976(18);

“national insurance contribution” means a contribution under Part 1 of the Contributions and Benefits Act;

“ordinary statutory paternity pay” means ordinary statutory paternity pay under Part 12ZA of the Contributions and Benefits Act;

“paid work” means work done for payment or in expectation of payment and does not include being engaged by a charitable or voluntary organisation, or as a volunteer, in circumstances in which the payment received by or due to be paid to the person is in respect of expenses;

“partner” means (except in regulation 77) the other member of a couple;

“personal independence payment” means an allowance under Part 4 of the Welfare Reform Act 2012;

“prisoner” means—

- (a) a person who is detained in custody pending trial or sentence upon conviction or under a sentence imposed by a court; or
- (b) is on temporary release in accordance with the provisions of the Prison Act 1952(19) or the Prisons (Scotland) Act 1989(20),

other than a person who is detained in hospital under the provisions of the Mental Health Act 1983(21) or, in Scotland, under the provisions of the Mental Health (Care and Treatment) (Scotland) Act 2003(22) or the Criminal Procedure (Scotland) Act 1995(23);

“qualifying young person” has the meaning in regulation 5;

“redundancy” has the meaning in section 139(1) of the Employment Rights Act 1996(24);

(14) 1995 c.18.

(15) 1995 c.39.

(16) 1989 c.41.

(17) 1995 c.6.

(18) S.I. 1976/615.

(19) 1952 c.52.

(20) 1989 c.45.

(21) 1983 c.20.

(22) 2003 asp13.

(23) 1995 c.46.

(24) 1996 c.18.

“registered as blind” means registered as blind—

- (a) in a register compiled by a local authority under section 29 of the National Assistance Act 1948⁽²⁵⁾; or
- (b) in a register maintained by or on behalf of a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994⁽²⁶⁾ in consequence of having been certified as blind;

“regular and substantial caring responsibilities for a severely disabled person” has the meaning in regulation 30;

“relevant childcare” has the meaning in regulation 35;

“responsible for a child or qualifying young person” has the meaning in regulation 4;

“statutory adoption pay” means a payment under Part 12ZB of the Contributions Benefits Act⁽²⁷⁾;

“statutory maternity pay” means a payment under Part 12 of the Contributions and Benefits Act;

“statutory sick pay” means a payment under Part 11 of the Contributions and Benefits Act;

“student loan” has the meaning in regulation 68;

“terminally ill” means suffering from a progressive disease where death in consequence of that disease can reasonably be expected within 6 months;

“total outstanding reduction period” has the meaning in regulation 101(5);

“trade dispute” has the meaning in section 244 of the Trade Union and Labour Relations (Consolidation) Act 1992⁽²⁸⁾;

“unearned income” has the meaning in Chapter 3 of Part 6;

“war disablement pension” means any retired pay, pension or allowance payable in respect of disablement under an instrument specified in section 639(2) of ITEPA;

“weekly earnings” has the meaning in regulation 90(6);

“widowed mother’s allowance” means an allowance under section 37 of the Contributions and Benefits Act;

“widowed parent’s allowance” means an allowance under section 39A of the Contributions and Benefits Act⁽²⁹⁾;

“widow’s pension” means a pension under section 39 of the Contributions and Benefits Act.

(25) 1948 c.29. Section 29 has been amended by the Local Government Act 1972, the Employment and Training Act 1973, the Children Act 1989 and the National Health Service and Community Care Act 1990.

(26) 1994 c. 39. Section 2 has been amended by the Environment Act 1995 (c.25).

(27) Part 12ZB was inserted by section 4 of the Employment Act 2002 (c.22).

(28) 1992 c.52.

(29) Section 39A was inserted by section 55(2) of the Welfare Reform and Pensions Act 1999 (c.30).