



# Welfare Reform Act 2012

## 2012 CHAPTER 5

### PART 1

#### UNIVERSAL CREDIT

### CHAPTER 2

#### CLAIMANT RESPONSIBILITIES

##### *Application of work-related requirements*

#### **19 Claimants subject to no work-related requirements**

- (1) The Secretary of State may not impose any work-related requirement on a claimant falling within this section.
- (2) A claimant falls within this section if—
  - (a) the claimant has limited capability for work and work-related activity,
  - (b) the claimant has regular and substantial caring responsibilities for a severely disabled person,
  - (c) the claimant is the responsible carer for a child under the age of 1, or
  - (d) the claimant is of a prescribed description.
- (3) Regulations under subsection (2)(d) may in particular make provision by reference to one or more of the following—
  - (a) hours worked;
  - (b) earnings or income;
  - (c) the amount of universal credit payable.
- (4) Regulations under subsection (3) may—

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*Status: This is the original version (as it was originally enacted).*

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- (a) in the case of a claimant who is a member of the couple, make provision by reference to the claimant alone or by reference to the members of the couple together;
  - (b) make provision for estimating or calculating any matter for the purpose of the regulations.
- (5) Where a claimant falls within this section, any work-related requirement previously applying to the claimant ceases to have effect.
- (6) In this Part “responsible carer”, in relation to a child means—
- (a) a single person who is responsible for the child, or
  - (b) a person who is a member of a couple where—
    - (i) the person or the other member of the couple is responsible for the child, and
    - (ii) the person has been nominated by the couple jointly as responsible for the child.

## **20 Claimants subject to work-focused interview requirement only**

- (1) A claimant falls within this section if—
- (a) the claimant is the responsible carer for a child who is aged at least 1 and is under a prescribed age (which may not be less than 3), or
  - (b) the claimant is of a prescribed description.
- (2) The Secretary of State may, subject to this Part, impose a work-focused interview requirement on a claimant falling within this section.
- (3) The Secretary of State may not impose any other work-related requirement on a claimant falling within this section (and, where a claimant falls within this section, any other work-related requirement previously applying to the claimant ceases to have effect).

## **21 Claimants subject to work preparation requirement**

- (1) A claimant falls within this section if the claimant does not fall within section 19 or 20 and—
- (a) the claimant has limited capability for work, or
  - (b) the claimant is of a prescribed description.
- (2) The Secretary of State may, subject to this Part, impose a work preparation requirement on a claimant falling within this section.
- (3) The Secretary of State may also, subject to this Part, impose a work-focused interview requirement on a claimant falling within this section.
- (4) The Secretary of State may not impose any other work-related requirement on a claimant falling within this section (and, where a claimant falls within this section, any other work-related requirement previously applying to the claimant ceases to have effect).
- (5) Regulations under subsection (1)(b) must prescribe a claimant who is the responsible carer for a child aged 3 or 4 if the claimant does not fall within section 20.

## **22 Claimants subject to all work-related requirements**

- (1) A claimant not falling within any of sections 19 to 21 falls within this section.
- (2) The Secretary of State must, except in prescribed circumstances, impose on a claimant falling within this section—
  - (a) a work search requirement, and
  - (b) a work availability requirement.
- (3) The Secretary of State may, subject to this Part, impose either or both of the following on a claimant falling within this section—
  - (a) a work-focused interview requirement;
  - (b) a work preparation requirement.