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STATUTORY INSTRUMENTS

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**2013 No. 380**

**The Universal Credit, Personal Independence Payment,  
Jobseeker's Allowance and Employment and Support  
Allowance (Claims and Payments) Regulations 2013**

**PART 2**

Claims

**Time within which a claim for universal credit is to be made**

26.—(1) Subject to the following provisions of this regulation, a claim for universal credit must be made on the first day of the period in respect of which the claim is made.

(2) Where the claim for universal credit is not made within the time specified in paragraph (1), the Secretary of State is to extend the time for claiming it [<sup>F1</sup>up to and including the day that would be the last day of the first assessment period for an award beginning on the first day in respect of] which the claim is made, if—

- (a) any one or more of the circumstances specified in paragraph (3) applies or has applied to the claimant; and
- (b) as a result of that circumstance or those circumstances the claimant could not reasonably have been expected to make the claim earlier.

(3) The circumstances referred to in paragraph (2) are—

- (a) the claimant was previously in receipt of a jobseeker's allowance or an employment and support allowance and notification of expiry of entitlement to that benefit was not sent to the claimant before the date that the claimant's entitlement expired;

[<sup>F2</sup>(aa) the claimant was previously in receipt of an existing benefit (as defined in the Universal Credit (Transitional Provisions) Regulations 2014) and notification of expiry of entitlement to that benefit was not sent to the claimant before the date that the claimant's entitlement expired;]

- (b) the claimant has a disability;
- (c) the claimant has supplied the Secretary of State with medical evidence that satisfies the Secretary of State that the claimant had an illness that prevented the claimant from making a claim;
- (d) the claimant was unable to make a claim in writing by means of an electronic communication used in accordance with Schedule 2 because the official computer system was inoperative;

<sup>F3</sup>(e) .....

(f) where—

**Changes to legislation:** There are currently no known outstanding effects for the The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013, Section 26. (See end of Document for details)

- (i) the Secretary of State decides not to award universal credit to members of a couple jointly because one of the couple does not meet the basic condition in section 4(1)(e) of the 2012 Act;
  - (ii) they cease to be a couple; and
  - (iii) the person who did meet the basic condition in section 4(1)(e) makes a further claim as a single person;
- (g) where—
- (i) an award of universal credit to joint claimants has been terminated because one of the couple does not meet the basic condition in section 4(1)(e) of the 2012 Act;
  - (ii) they cease to be a couple; and
  - (iii) the person who did meet the basic condition in section 4(1)(e) makes a further claim as a single person.

(4) In the case of a claim for universal credit made by each of joint claimants, the prescribed time for claiming is not to be extended under paragraph (2) unless both claimants satisfy that paragraph.

[<sup>F4</sup>(5) In the case of a claim for universal credit referred to in regulation 21(3C) of the Universal Credit Regulations (assessment period applied from a previous award within the last 6 months) the claim for universal credit must be made before the end of the assessment period in respect of which it is made.]

- F1** Words in reg. 26(2) substituted (29.6.2023) by [The Social Security and Universal Credit \(Miscellaneous Amendments\) Regulations 2023 \(S.I. 2023/543\)](#), regs. 1(1), **5**
- F2** Reg. 26(3)(aa) inserted (for specified purposes) (16.6.2014) by [The Universal Credit \(Transitional Provisions\) Regulations 2014 \(S.I. 2014/1230\)](#), regs. 1(2), **15(1)(2)**
- F3** Reg. 26(3)(e) omitted (26.11.2014) by virtue of [The Universal Credit \(Digital Service\) Amendment Regulations 2014 \(S.I. 2014/2887\)](#), regs. 1, **3(2)(c)(i)** (with reg. 5)
- F4** Reg. 26(5) inserted (26.11.2014) by [The Universal Credit \(Digital Service\) Amendment Regulations 2014 \(S.I. 2014/2887\)](#), regs. 1, **3(2)(c)(ii)** (with reg. 5)

**Modifications etc. (not altering text)**

- C1** Reg. 26 excluded by S.I. 2014/1230, reg. 46(3) (as inserted (24.7.2019) by [The Universal Credit \(Managed Migration Pilot and Miscellaneous Amendments\) Regulations 2019 \(S.I. 2019/1152\)](#), regs. 1(2), **3(7)**)

**Changes to legislation:**

There are currently no known outstanding effects for the The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013, Section 26.