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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

**Claims for universal credit by members of a couple**

9.—(1) Where a person is a member of a couple and may make a claim as a single person by virtue of regulation 3(3) (couples) of the Universal Credit Regulations, but instead makes a claim for universal credit jointly, that claim is to be treated as a claim made by that person as a single person.

(2) Where a claim for universal credit is made jointly by a member (“M1”) of a polygamous marriage with another member of the polygamous marriage (“M2”), that claim is to be treated as a claim made by M1 as a single person where—

- (a) M1 is not a party to an earlier marriage in the polygamous marriage, and
- (b) any party to an earlier marriage is living in the same household as M1 and M2.

(3) In paragraph (2) “polygamous marriage” means a marriage during which a party to it is married to more than one person and which took place under the laws of a country which permits polygamy.

(4) The Secretary of State may treat a claim made by members of a couple as single persons as a claim made jointly by the couple where it is determined by the Secretary of State that they are a couple.

(5) Where the Secretary of State considers that one member of a couple is unable to make a joint claim with the other member of that couple, the other member of the couple may make a claim jointly for both of them.

[<sup>F1</sup>(6) Where an award of universal credit to joint claimants is terminated because they cease to be a couple an award may be made, without a claim, to either or each one of them—

- (a) as a single person; or
- (b) if either of them has formed a new couple with a person who is already entitled to universal credit, jointly with that person.]

(7) Where awards of universal credit to two single claimants are terminated because they form a couple who are joint claimants, it is not to be a condition of entitlement to universal credit that the couple make a claim for it and universal credit may be awarded to them jointly.

(8) A couple who are joint claimants are to be treated as making a claim for universal credit where—

- [<sup>F2</sup>(a) one of them ceased to be entitled to an award of universal credit (whether as a single person or as a member of a different couple) on the formation of that couple;]

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**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 9. (See end of Document for details)

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- (b) the other member of the couple did not have an award of universal credit as a single person before formation of the couple.

[<sup>F3</sup>and the claim is to be treated as made on the day after the member of the couple mentioned in sub-paragraph (a) ceased to be entitled to universal credit.]

(9) In relation to an award which may be made by virtue of paragraph (6) or (7) without a claim being required, a claimant and every person by whom or on whose behalf, sums by way of universal credit are receivable must supply in such manner and at such times as the Secretary of State may determine such information or evidence as the Secretary of State may require in connection with the formation or dissolution of a couple.

(10) Where an award of universal credit to joint claimants is terminated because one of them has died it is not to be a condition of entitlement to universal credit that the surviving partner makes a claim for it.

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| <b>F1</b> | Reg. 9(6) substituted (26.11.2014) by <a href="#">The Universal Credit (Digital Service) Amendment Regulations 2014 (S.I. 2014/2887)</a> , regs. 1, <b>3(2)(b)(i)</b> (with reg. 5)     |
| <b>F2</b> | Reg. 9(8)(a) substituted (26.11.2014) by <a href="#">The Universal Credit (Digital Service) Amendment Regulations 2014 (S.I. 2014/2887)</a> , regs. 1, <b>3(2)(b)(ii)</b> (with reg. 5) |
| <b>F3</b> | Words in reg. 9(8) inserted (29.7.2013) by <a href="#">The Social Security (Miscellaneous Amendments) (No. 2) Regulations 2013 (S.I. 2013/1508)</a> , regs. 1(2)(a), <b>6(2)</b>        |

**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 9.