

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 (Decisions and Appeals) Regulations 2013, PART 4. (See end of Document for details)

SCHEDULE 1

EFFECTIVE DATES FOR SUPERSEDING DECISIONS MADE ON THE GROUND OF A CHANGE OF CIRCUMSTANCES

PART 4

COMMON PROVISIONS

31.—(1) This paragraph applies in relation to an award of personal independence payment or universal credit where the change of circumstances is that the claimant or, in the case of universal credit, a member of their family, becomes entitled to another relevant benefit [^{F1}or [^{F2}Scottish disability payment]], ceases so to be entitled or the rate of another such benefit [^{F1}or [^{F2}Scottish disability payment]] alters.

(2) Where this paragraph applies, the superseding decision takes effect from—

(a) where the superseding decision concerns universal credit, the first day of the assessment period in which—

- (i) the entitlement to the other benefit [^{F3}or [^{F4}Scottish disability payment]] arises;
- (ii) the entitlement to the other benefit [^{F5}or [^{F6}Scottish disability payment]] ends; or
- (iii) entitlement to a different rate of the other benefit [^{F7}or [^{F8}Scottish disability payment]] arises;

(b) where the superseding decision concerns personal independence payment, the date on which—

- (i) the entitlement to the other benefit arises;
- (ii) the entitlement to the other benefit ends; or
- (iii) entitlement to a different rate of the other benefit arises.

(3) For the purpose of sub-paragraph (1), where the superseding decision relates to personal independence payment, “relevant benefit” includes any payment made under any of the provisions mentioned in regulation 61(1) (cases where mobility component of personal independence payment not payable) of the Claims and Payments Regulations 2013.

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| F1 | Words in Sch. 1 para. 31(1) inserted (26.7.2021) by The Social Security (Scotland) Act 2018 (Disability Assistance for Children and Young People) (Consequential Modifications) Order 2021 (S.I. 2021/786) , arts. 1(2), 21(4) |
| F2 | Words in Sch. 1 para. 31(1) substituted (21.3.2022) by The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177) , arts. 1(2), 17(4) |
| F3 | Words in Sch. 1 para. 31(2)(a)(i) inserted (26.7.2021) by The Social Security (Scotland) Act 2018 (Disability Assistance for Children and Young People) (Consequential Modifications) Order 2021 (S.I. 2021/786) , arts. 1(2), 21(4) |
| F4 | Words in Sch. 1 para. 31(2)(a)(i) substituted (21.3.2022) by The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177) , arts. 1(2), 17(4) |
| F5 | Words in Sch. 1 para. 31(2)(a)(ii) inserted (26.7.2021) by The Social Security (Scotland) Act 2018 (Disability Assistance for Children and Young People) (Consequential Modifications) Order 2021 (S.I. 2021/786) , arts. 1(2), 21(4) |
| F6 | Words in Sch. 1 para. 31(2)(a)(ii) substituted (21.3.2022) by The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177) , arts. 1(2), 17(4) |

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- F7** Words in Sch. 1 para. 31(2)(a)(iii) inserted (26.7.2021) by [The Social Security \(Scotland\) Act 2018 \(Disability Assistance for Children and Young People\) \(Consequential Modifications\) Order 2021 \(S.I. 2021/786\)](#), arts. 1(2), **21(4)**
- F8** Words in Sch. 1 para. 31(2)(a)(iii) substituted (21.3.2022) by [The Social Security \(Disability Assistance for Working Age People\) \(Consequential Amendments\) Order 2022 \(S.I. 2022/177\)](#), arts. 1(2), **17(4)**

[^{F9}32. Where the change of circumstances is that there has been a change in the legislation, the superseding decision takes effect—

- (a) in relation to an award of universal credit that exists on the date on which the change in legislation comes into force—
 - (i) if there is an assessment period for the award that begins on the date on which that change in legislation has effect, from that date; or
 - (ii) in any other case, from the first day of the next assessment period for the award beginning after the date on which that change had effect;
- (b) in any other case, from the date on which that change in the legislation had effect.

- F9** Sch. 1 para. 32-33 substituted (14.2.2018) by [The Universal Credit \(Miscellaneous Amendments, Saving and Transitional Provision\) Regulations 2018 \(S.I. 2018/65\)](#), regs. 1(2), **5(3)**

33. Where the change of circumstances is the expected coming into force of a change in the legislation, the superseding decision takes effect—

- (a) in relation to an award of universal credit that exists on the date on which the change in legislation comes into force—
 - (i) if there is an assessment period for the award that begins on the date on which that change in legislation has effect, from that date; or
 - (ii) in any other case, from the first day of the next assessment period for the award beginning after the date on which that change has effect;
- (b) in any other case, from the date on which that change in the legislation has effect.]

- F9** Sch. 1 para. 32-33 substituted (14.2.2018) by [The Universal Credit \(Miscellaneous Amendments, Saving and Transitional Provision\) Regulations 2018 \(S.I. 2018/65\)](#), regs. 1(2), **5(3)**

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