
STATUTORY INSTRUMENTS

2013 No. 612

The Fines, Council Tax and Community Charges (Deductions from Universal Credit and Other Benefits) Regulations 2013

Amendment of regulation 4

5.—(1) Regulation 4 (deductions from offender’s income support etc.) is amended as follows.

(2) In the heading, after “income support,” insert “universal credit.”

(3) After paragraph (1) insert—

“(1A) Subject to paragraphs (1C) and (1D) and regulation 7, where the Secretary of State receives an application from a court in respect of an offender who is entitled to universal credit, the Secretary of State may deduct from the universal credit payable to the offender an amount permitted by paragraph (1B) and pay that amount to the court towards satisfaction of the fine or the sum required to be paid by compensation order.

(1B) The amount that may be deducted under paragraph (1A) is any sum which is no less than 5 per cent. of the appropriate universal credit standard allowance for the offender for the assessment period in question under regulation 36 of the UC Regulations but no greater than £108.35.

(1C) No amount may be deducted under paragraph (1A) where it would reduce the amount of universal credit payable to the offender to less than 1 penny.

(1D) For the purpose of paragraph (1B), where 5 per cent. of the appropriate universal credit standard allowance results in a fraction of a penny, that fraction is to be disregarded if it is less than half a penny and otherwise it is to be treated as a penny.”

(4) For paragraph (2) substitute—

“(2) Subject to paragraph (3) and regulation 7, where—

(a) the Secretary of State receives an application from a court in respect of an offender who is entitled to contribution-based jobseeker’s allowance or contributory employment and support allowance; and

(b) the amount of that allowance payable, before any deduction under this paragraph, is 10 pence or more,

the Secretary of State may deduct a sum from that allowance, up to the appropriate maximum specified in paragraph (2A), and pay that sum to the court towards satisfaction of the fine or the sum required to be paid by compensation order.

(2A) The appropriate maximum is 40 per cent. of the appropriate age-related amount for the offender specified—

(a) where the offender is entitled to contribution-based jobseeker’s allowance, in regulation 79 of the Jobseeker’s Allowance Regulations 1996 or, as the case may be, regulation 49 of the Jobseeker’s Allowance Regulations 2013(1);

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(b) where the offender is entitled to contributory employment and support allowance, in paragraph 1(1) of Schedule 4 to the Employment and Support Allowance Regulations or, as the case may be, regulation 62(1)(b) of the Employment and Support Allowance Regulations 2013(2).”.

(5) Omit paragraph (4).

(6) The amendment made by paragraph (4) does not have effect in respect of an application received by the Secretary of State from the court in respect of an offender before the day on which these Regulations come into force.