
STATUTORY INSTRUMENTS

2013 No. 630

**The Universal Credit (Consequential, Supplementary,
Incidental and Miscellaneous Provisions) Regulations 2013**

PART 3

AMENDMENTS OF SECONDARY LEGISLATION

CHAPTER 1

SOCIAL SECURITY BENEFITS

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

36.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(1) are amended as follows.

(2) In regulation 2 (interpretation)(2)—

(a) for the definition of “contributory employment and support allowance”, substitute—

““contributory employment and support allowance” means an allowance under Part 1 of the Welfare Reform Act as amended by the provisions of Schedule 3, and Part 1 of Schedule 14, to the 2012 Act that remove references to an income-related allowance, and a contributory allowance under Part 1 of the Welfare Reform Act as that Part has effect apart from those provisions;” and

(b) after the definition of “training allowance”, insert—

““universal credit” means universal credit under Part I of the 2012 Act;”.

(3) In regulation 19 (persons of a prescribed description)(3), omit “or” after paragraph (2)(a) and after paragraph (2)(c), insert—

“; or

(d) entitled to an award of universal credit”.

(4) In regulation 31(11) (treatment of child care charges)(4), in sub-paragraphs (ba) and (ca), after “Employment and Support Allowance Regulations” insert “or the Employment and Support Allowance Regulations 2013”.

(5) In regulation 55 (non-dependant deductions)(5)—

(1) [S.I. 2006/214](#); regulation 2 was amended by [S.I. 2013/388](#) and paragraph 21(2) was amended by [S.I. 2013/443](#), [2013/388](#) and [2013/591](#).

(2) Regulation 2 was amended by [S.I. 2013/388](#); there are other amendments that are not relevant to these Regulations.

(3) Regulation 19(2) was amended by [S.I. 2006/718](#) and [2008/1082](#).

(4) Regulation 31(11)(ba) and (ca) were inserted by [S.I. 2008/1082](#).

(5) Paragraph (8) was amended by [S.I. 2008/1082](#).

- (a) in paragraph (8), after “work-related activity component)” insert “or who is entitled to an award of universal credit where the award is calculated on the basis that the person does not have any earned income”; and
- (b) after paragraph (10) insert—
 - “(11) For the purposes of paragraph (8), “earned income” has the meaning given in regulation 52 of the Universal Credit Regulations 2013.”.
- (6) In regulation 83(4) (method of recovery)(6), after “Employment and Support Allowance Regulations” insert “, regulation 39(1)(a) of the Employment and Support Allowance Regulations 2013”.
- (7) In Schedule 4 (sums disregarded from claimant’s earnings)(7)—
 - (a) in paragraph 5(1)(d)(ii), after “Employment and Support Allowance Regulations” insert “or regulation 7 of the Employment and Support Allowance Regulations 2013”; and
 - (b) in paragraph 5A(6)(a), after “Employment and Support Allowance Regulations” insert “or regulation 39(1)(a), (b) or (c) of the Employment and Support Allowance Regulations 2013”.
- (8) In Schedule 6 (capital to be disregarded)(8), in paragraph 21(2), omit “or” after sub-paragraph (m) and after sub-paragraph (n) insert—
 - “; or
 - (o) universal credit”.

(6) Paragraph (4) was amended by [S.I. 2008/1042](#) and [2009/2608](#).

(7) Paragraph 5(1)(d) was added by [S.I. 2009/583](#).

(8) Paragraph 21(2) was amended by [S.I. 2005/2502](#), [2008/1082](#), [2013/388](#), [2013/443](#) and [2013/591](#).