
STATUTORY INSTRUMENTS

2014 No. 1230

SOCIAL SECURITY

The Universal Credit (Transitional Provisions) Regulations 2014

<i>Made</i>	- - - -	<i>12th May 2014</i>
<i>Laid before Parliament</i>		<i>14th May 2014</i>
<i>Coming into force</i>		<i>16th June 2014</i>

**THE UNIVERSAL CREDIT (TRANSITIONAL
PROVISIONS) REGULATIONS 2014**

PART 1

INTRODUCTORY

1. Citation and commencement
2. Interpretation
3. Revocation and saving of the Universal Credit (Transitional Provisions) Regulations 2013

PART 2

TRANSITION TO UNIVERSAL CREDIT

CHAPTER 1

ENTITLEMENT TO CLAIM UNIVERSAL CREDIT

4. Secretary of State discretion to determine that claims for universal credit may not be made
- 4A Restriction on claims for universal credit by persons entitled to a severe disability premium

CHAPTER 2

ENTITLEMENT TO OTHER BENEFITS

5. Exclusion of entitlement to certain benefits
- 5A Entitlement to universal credit and housing benefit: universal credit work allowance

Changes to legislation: There are currently no known outstanding effects for the The Universal Credit (Transitional Provisions) Regulations 2014. (See end of Document for details)

- 6. Exclusion of claims for certain existing benefits
- 6A Restriction on claims for housing benefit, income support or a tax credit
- 7. Termination of awards of certain existing benefits: new claimant partners
- 8. Termination of awards of certain existing benefits: other claimants
- 8A Transitional housing payment
- 8B Effect on universal credit award of two week run-on of income support, income-based jobseeker's allowance and income-related employment and support allowance
- 9. Treatment of ongoing entitlement to certain benefits: benefit cap
- 10. Treatment of overpayments
- 10A Arrears of benefit disregarded as capital
- 10B Arrears of maternity allowance disregarded as capital
- 10C Compensatory payment disregarded as capital
- 11. Ongoing awards of tax credits
- 12. Modification of tax credits legislation: overpayments and penalties
- 12A Modification of tax credits legislation: finalisation of tax credits
- 13. Appeals etc relating to certain existing benefits
- 14. Appeals etc relating to universal credit

CHAPTER 3

EFFECT OF TRANSITION TO UNIVERSAL CREDIT

- 15. Modification of Claims and Payments Regulations in relation to universal credit claimants
- 16. Persons unable to act
- 16A Waiting days
- 17. Advance payments of universal credit
- 18. Deductions from benefits
- 19. Transition from old style ESA
- 20. Transition from old style ESA before the end of the assessment phase
- 20A Transition from jobseeker's allowance following an extended period of sickness
- 21. Other claimants with limited capability for work: credits only cases
- 22. Transition from income support payable on the grounds of incapacity for work or disability and other incapacity benefits
- 23. Transition from other incapacity benefits: assessment under the 2010 Regulations
- 24. Transition from other incapacity benefits: claimants approaching pensionable age
- 25. Transition from other incapacity benefits: supplementary
- 26. Other claimants with incapacity for work: credits only cases where claimant is approaching pensionable age
- 27. Other claimants with incapacity for work: credits only cases
- 28. Meaning of "qualifying young person"
- 29. Support for housing costs
- 30. Sanctions: transition from old style ESA
- 31. Escalation of sanctions: transition from old style ESA
- 32. Sanctions: transition from old style JSA
- 33. Escalation of sanctions: transition from old style JSA
- 34. Sanctions: temporary return to certain existing benefits
- 35. Loss of benefit penalties: transition from existing benefits other than tax credits

Changes to legislation: There are currently no known outstanding effects for the The Universal Credit (Transitional Provisions) Regulations 2014. (See end of Document for details)

- 36. Loss of benefit penalties: reduction of universal credit
- 37. Loss of benefit penalties: transition from working tax credit
- 38. Loss of benefit penalties: maximum total reduction

PART 3

ARRANGEMENTS REGARDING CHANGES TO THE CHILD ELEMENT FROM APRIL 2017

- 39. Restriction on claims for universal credit during the interim period
- 40. Availability of the child element where maximum exceeded - transitionally protected children and qualifying young persons
- 41. Availability of the child element where maximum exceeded – continuation of exception from a previous award of child tax credit, income support or old style JSA
- 42. Evidence for non-consensual conception where claimant previously had an award of child tax credit
- 43. Abolition of higher amount of the child element for first child or qualifying young person – saving where claimant responsible for a child or qualifying young person born before 6th April 2017

PART 4

MANAGED MIGRATION TO UNIVERSAL CREDIT

The Migration Process

- 44. Migration notice
- 45. Extension of the deadline day
- 46. Termination of existing benefits if no claim before the deadline
- 47. Notified persons who claim as a different benefit unit

Transitional Protection

- 48. Meaning of “qualifying claim”
- 49. Meaning of “migration day”
- 50. Secretary of State to determine whether transitional protection applies
- 51. The transitional capital disregard
- 52. The transitional element
- 53. The transitional element - total legacy amount
- 54. The transitional element - indicative UC amount
- 55. The transitional element – initial amount and adjustment where other elements increase

Ending of transitional protection

- 56. Circumstances in which transitional protection ceases
- 57. Application of transitional protection to a subsequent award

Miscellaneous

- 58. Qualifying claim – Secretary of State may set later commencement day
- 59. Minimum income floor not to apply for first 12 months
- 60. Protection for full-time students until course completed
- 61. Rounding
- 62. Effect of revision, appeal etc. of an award of an existing benefit
- 63. Claimants previously entitled to a severe disability premium

Changes to legislation: There are currently no known outstanding effects for the The Universal Credit (Transitional Provisions) Regulations 2014. (See end of Document for details)

64. Discretionary hardship payments
Signature

SCHEDULE 1 — MODIFICATION OF TAX CREDITS LEGISLATION (FINALISATION OF TAX CREDITS)

1. Modifications to the Tax Credits Act 2002
2. In section 7 (income test)— (a) in subsection (3), before...
3. In section 17 (final notice)— (a) in subsection (1)—
4. In section 18 (decisions after final notice)—
5. In section 19 (power to enquire)— (a) in subsection (1)(a)...
6. In section 20 (decisions on discovery)— (a) in subsection (1),...
7. In section 21 (decisions subject to official error), for “18(1),...
8. In section 23 (notice of decisions)— (a) in subsection (1),...
9. In section 30(1) (underpayments), before “tax year” in each place...
10. In section 38 (appeals)— (a) in subsection (1)(b), before “tax...
11. Modifications to the Tax Credits (Definition and Calculation of Income) Regulations 2002
12. In regulation 2(2) (interpretation), after the definition of “the Macfarlane...
13. In regulation 3 (calculation of income of claimant)—
14. In regulation 4 (employment income)— (a) in paragraph (1)(a), before...
15. In regulation 5 (pension income)— (a) in paragraph (1), after...
16. In regulation 6 (trading income)— (a) re-number the existing regulation...
17. In regulation 7 (social security income)— (a) in paragraph (1),...
18. In regulation 8 (student income), after “in relation to a...
19. In regulation 10 (investment income)— (a) in paragraph (1), after...
20. In regulation 11(1) (property income)— (a) omit “annual”;
21. In regulation 12(1) (foreign income), before “year” insert “part tax”....
22. In regulation 13 (notional income), after “means income” insert “received...
23. In regulation 18 (miscellaneous income), after “means income” insert “received...
24. Modifications to the Tax Credits (Income Thresholds and Determination of Rates) Regulations 2002
25. In regulation 2 (interpretation)— (a) after the definition of “the...
26. In regulation 7(3) (determination of rate of working tax credit)—...
27. In regulation 8(3) (determination of rate of child tax credit)—...
28. Modifications to the Tax Credits (Claims and Notifications) Regulations 2002
29. In regulation 4 (interpretation), omit paragraph (b).
30. Omit regulation 11 (circumstances in which claims to be treated...
31. Omit regulation 12 (further circumstances in which claims to be...
32. In regulation 13 (circumstances in which claims made by one...
33. In regulation 15(1)(c) (persons who die after making a claim)—...
34. In regulation 33 (dates to be specified in notices)—
35. Modification to the Tax Credits (Payment by the Commissioners) Regulations 2002
36. Omit regulation 7 (prescribed circumstances for certain purposes).
37. Modification to the Tax Credits (Residence) Regulations 2003
38. In regulation 3(5)(a) (circumstances in which a person is treated...

SCHEDULE 2 — Claimants previously entitled to a severe disability premium

1. This Schedule applies to an award of universal credit where...

Changes to legislation: There are currently no known outstanding effects for the The Universal Credit (Transitional Provisions) Regulations 2014. (See end of Document for details)

2. The first condition is that the award was not made...
3. The second condition is that the claimant—
4. Where this Schedule applies (subject to paragraphs 6 and 7),...
5. The amount of the transitional SDP element in the first...
6. In respect of the second and each subsequent assessment period,...
7. The award is not to include a transitional SDP element...
8. (1) In this Schedule— “LCWRA element” has the meaning in...
9. For the purposes of paragraph 3(b) and 5(b)(i), paragraph 6(6)...

Explanatory Note

Changes to legislation:

There are currently no known outstanding effects for the The Universal Credit (Transitional Provisions) Regulations 2014.