

[^{F1}SCHEDULE 2

Regulation 63

Claimants previously entitled to a severe disability premium

Textual Amendments

- F1** Sch. 2 substituted (27.1.2021) by [The Universal Credit \(Transitional Provisions\) \(Claimants previously entitled to a severe disability premium\) Amendment Regulations 2021 \(S.I. 2021/4\)](#), regs. 1, **2** (with reg. 3)

1. This Schedule applies to an award of universal credit where the following conditions are met in respect of the claimant, or each of joint claimants.
2. The first condition is that the award was not made as a consequence of the claimant becoming a member of a couple where the other member was already entitled to an award of universal credit.
3. The second condition is that the claimant—
 - (a) was entitled (or was a member of a couple the other member of which was entitled) to an award of income support, income-based jobseeker's allowance or income-related employment and support allowance that included a severe disability premium within the month immediately preceding the first day of the award of universal credit; and
 - (b) continued to satisfy the conditions for eligibility for a severe disability premium up to and including the first day of that award.
4. Where this Schedule applies (subject to paragraphs 6 and 7), a transitional SDP element is to be included in the calculation of the award and the amount of that element is to be treated, for the purposes of section 8 of the Act, as if it were an additional amount to be included in the maximum amount under section 8(2) before the deduction of income under section 8(3).
5. The amount of the transitional SDP element in the first assessment period is—
 - (a) in the case of a single claimant—
 - (i) [^{F2}£132.12], if the LCWRA element is included in the award, or
 - (ii) [^{F3}£313.79], if the LCWRA element is not included in the award;
 - (b) in the case of joint claimants—
 - (i) [^{F4}£445.91], [^{F5}if the higher SDP rate is payable on the first day of the award and no person becomes a carer for either of them in the first assessment period],
 - (ii) [^{F2}£132.12], if paragraph (i) does not apply and the LCWRA element is included in the award in respect of either of them, or
 - (iii) [^{F3}£313.79] if paragraph (i) does not apply and the LCWRA element is not included in the award in respect of either of them.

Textual Amendments

- F2** Sum in Sch. 2 para. 5 substituted (10.4.2023) by [The Social Security Benefits Up-rating Regulations 2023 \(S.I. 2023/340\)](#), regs. 1(1), **7(1)(a)** (with reg. 7(2))
- F3** Sum in Sch. 2 para. 5 substituted (10.4.2023) by [The Social Security Benefits Up-rating Regulations 2023 \(S.I. 2023/340\)](#), regs. 1(1), **7(1)(b)** (with reg. 7(2))
- F4** Sum in Sch. 2 para. 5 substituted (10.4.2023) by [The Social Security Benefits Up-rating Regulations 2023 \(S.I. 2023/340\)](#), regs. 1(1), **7(1)(c)** (with reg. 7(2))

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Universal Credit (Transitional Provisions) Regulations 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F5 Words in Sch. 2 para. 5(b)(i) substituted (29.6.2023) by The Social Security and Universal Credit (Miscellaneous Amendments) Regulations 2023 (S.I. 2023/543), regs. 1(1), **6(6)(a)**

6. In respect of the second and each subsequent assessment period, regulation 55(2) (adjustment where other elements increase), regulation 56 (circumstances in which transitional protection ceases) and regulation 57 (application of transitional protection to a subsequent award) are to apply in relation to the transitional SDP element as if it were a transitional element in respect of which the amount calculated in accordance with paragraph 5 was the initial amount.

7. The award is not to include a transitional SDP element where the claim was a qualifying claim and the award is to include a transitional element.

8.—^{F6}(1) In this Schedule—

“LCWRA element” has the meaning in the Universal Credit Regulations;

“the higher SDP rate” is the rate specified in sub-paragraph (ii) of paragraph 11(2)(b) of Schedule 4 to the Employment and Support Allowance Regulations 2008 or, as the case may be, the corresponding rate of a severe disability premium in relation to income support or income-based jobseeker’s allowance.]

^{F7}(2) In paragraph 5(b)(i), the reference to a person being a carer for another person is to the person being entitled to, and in receipt of, a carer’s allowance ^{F8}[or carer support payment] or having an award of universal credit which includes the carer element in respect of caring for that other person.]

^{F9}(3) In paragraph (2) “carer support payment” means carer’s assistance given in accordance with the Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023.]

Textual Amendments

F6 Sch. 2 para. 8(1): Sch. 2 para. 8 renumbered as Sch. 2 para. 8(1) (29.6.2023) by The Social Security and Universal Credit (Miscellaneous Amendments) Regulations 2023 (S.I. 2023/543), regs. 1(1), **6(6)(b)**

F7 Sch. 2 para. 8(2) inserted (29.6.2023) by The Social Security and Universal Credit (Miscellaneous Amendments) Regulations 2023 (S.I. 2023/543), regs. 1(1), **6(6)(b)**

F8 Words in Sch. 2 para. 8(2) inserted (19.11.2023) by The Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023 (Consequential Amendments) Order 2023 (S.I. 2023/1218), arts. 1(2), **26(a)**

F9 Sch. 2 para. 8(3) inserted (19.11.2023) by The Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023 (Consequential Amendments) Order 2023 (S.I. 2023/1218), arts. 1(2), **26(b)**

^{F10}9. For the purposes of paragraph 3(b) and 5(b)(i), paragraph 6(6) of Schedule 4 to the Employment and Support Allowance Regulations 2008 or, as the case may be, the corresponding provision in relation to income support or income-based jobseeker’s allowance, is to be disregarded.]

Textual Amendments

F10 Sch. 2 para. 9 inserted (29.6.2023) by The Social Security and Universal Credit (Miscellaneous Amendments) Regulations 2023 (S.I. 2023/543), regs. 1(1), **6(6)(c)**

Changes to legislation:

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Changes and effects yet to be applied to :

- Sch. 2 para. 5 sum substituted by [S.I. 2024/242 art. 33\(a\)\(i\)](#)
- Sch. 2 para. 5 sum substituted by [S.I. 2024/242 art. 33\(a\)\(ii\)](#)
- Sch. 2 para. 5 sum substituted by [S.I. 2024/242 art. 33\(a\)\(iii\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Table of Contents words inserted by [S.I. 2018/65 reg. 6\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. The table of contents for this legislation will be dynamically updated when its provisions are revised)
- Table of Contents words inserted by [S.I. 2018/65 reg. 6\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. The table of contents for this legislation will be dynamically updated when its provisions are revised)
- Table of Contents words omitted by [S.I. 2018/65 reg. 6\(2\)\(c\)](#) (This amendment not applied to legislation.gov.uk. The table of contents for this legislation will be dynamically updated when its provisions are revised)
- Sch. 1 para. 16(c) substituted by [S.I. 2024/341 reg. 8\(4\)](#)