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STATUTORY INSTRUMENTS

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**2017 No. 138**

**The Universal Credit (Benefit Cap Earnings Exception) Amendment Regulations 2017**

**Exception to the application of the benefit cap – earnings**

2.—(1) The Universal Credit Regulations 2013<sup>(1)</sup> are amended as follows.

(2) In regulation 6(1A) (rounding), before paragraph (a) insert—

“(za) regulation 82(1)(a) (exceptions – earnings);”.

(3) In regulation 82 (exceptions – earnings)—

(a) in paragraph (1)(a), for “£430”, substitute—

“the amount of earnings that a person would be paid at the hourly rate set out in regulation 4 of the National Minimum Wage Regulations for 16 hours per week, converted to a monthly amount by multiplying by 52 and dividing by 12”;

(b) in paragraph (2)(a), for “less than the amount mentioned in paragraph (1)(a)”, substitute—

“less than—

(i) where the assessment period began before 1st April 2017, £430; or

(ii) in any other case, the amount calculated in accordance with paragraph (1)(a)”; and

(c) in paragraph (3), for “exceeded the amount mentioned in paragraph (1)(a)”, substitute—

“exceeded—

(a) in any month beginning before 1st April 2017, £430; and

(b) in any other case, the amount calculated in accordance with paragraph (1)(a)”.

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<sup>(1)</sup> [S.I. 2013/376](#). Regulation 6(1A) was inserted by [S.I. 2015/1754](#).