

SCHEDULE 1

Consequential amendments to secondary legislation

PART 2

Universal Credit: amendments to secondary legislation consequential on removal of limited capability for work element

Amendment to the Income Support (General) Regulations 1987

10. In Schedule 3 (housing costs) to the Income Support (General) Regulations 1987⁽¹⁾, in paragraph 1 (housing costs), in sub-paragraph (3)(e) for the words from “the calculation of which” to the end substitute “and has limited capability for work or limited capability for work and work-related activity as construed in accordance with regulations 39 and 40 of the Universal Credit Regulations 2013⁽²⁾”.

Amendment to the Social Fund Cold Weather Payments (General) Regulations 1988

11. In regulation 1A (prescribed description of persons) of the Social Fund Cold Weather Payments (General) Regulations 1988⁽³⁾, for paragraph (3)(f)(ii) substitute—

“(ii) P has limited capability for work or limited capability for work and work-related activity as construed in accordance with regulations 39 and 40 of the Universal Credit Regulations 2013.”.

Amendment to the Jobseeker’s Allowance Regulations 1996

12. In Schedule 2 (housing costs) to the Jobseeker’s Allowance Regulations 1996⁽⁴⁾, in paragraph 1 (housing costs), in sub-paragraph (3)(f) for the words from “the calculation of which” to the end substitute “and has limited capability for work or limited capability for work and work-related activity as construed in accordance with regulations 39 and 40 of the Universal Credit Regulations 2013”.

Amendment to the Education (Student Loans) Regulations 1998

13. In Schedule 2 (terms of loans) to the Education (Student Loans) Regulations 1998⁽⁵⁾, in paragraph 1, in sub-paragraph (e) of the definition of “disability related benefits” omit “limited capability for work or”.

Amendment to the State Pension Credit Regulations 2002

14. In Schedule 2 (housing costs) to the State Pension Credit Regulations 2002⁽⁶⁾, in paragraph 1 (housing costs), in sub-paragraph (2)(a)(iii)(ff) for the words from “the calculation of which” to the end substitute “and has limited capability for work or limited capability for work and work-related activity as construed in accordance with regulations 39 and 40 of the Universal Credit Regulations 2013”.

(1) S.I. 1987/1967, amended by S.I. 2013/630.

(2) S.I. 2013/376.

(3) S.I. 1988/1724, relevant amending instruments are S.I. 1991/2448, 2010/2442 and 2013/248.

(4) S.I. 1996/207, amended by S.I. 2013/630.

(5) S.I. 1998/211, amended by S.I. 2013/630.

(6) S.I. 2002/1792, amended by S.I. 2013/630.

Changes to legislation: There are currently no known outstanding effects for the The Employment and Support Allowance and Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations 2017, PART 2. (See end of Document for details)

Amendment to the Employment and Support Allowance Regulations 2008

15. In Schedule 6 (housing costs) to the Employment and Support Allowance Regulations 2008(7), in paragraph 1 (housing costs), in sub-paragraph (3)(e) for the words from “the calculation of which” to the end substitute “and has limited capability for work or limited capability for work and work-related activity as construed in accordance with regulations 39 and 40 of the Universal Credit Regulations 2013.”.

Amendment to the Education (Student Support) (European University Institute) Regulations 2010

16. In regulation 27 (interpretation) of the Education (Student Support) (European University Institute) Regulations 2010(8), in paragraph (2)(h)(i) omit “limited capability for work or”.

Amendment to the Education (Student Support) Regulations 2011

17. In regulation 42 (interpretation) of the Education (Student Support) Regulations 2011(9), in paragraph (2)(i)(i) omit “limited capability for work or”.

(7) [S.I. 2008/794](#), amended by [S.I. 2013/630](#).

(8) [S.I. 2010/447](#), amended by [S.I. 2013/630](#).

(9) [S.I. 2011/1986](#); relevant amending instruments are [S.I. 2009/2655](#), [2013/458](#), [2013/630](#) and [2016/544](#).

Changes to legislation:

There are currently no known outstanding effects for the The Employment and Support Allowance and Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations 2017, PART 2.