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STATUTORY INSTRUMENTS

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**2021 No. 228**

**SOCIAL SECURITY**

**The Universal Credit (Childcare in Wales) (Amendment) Regulations 2021**

<i>Made</i>	- - - -	<i>2nd March 2021</i>
<i>Laid before Parliament</i>		<i>4th March 2021</i>
<i>Coming into force</i>	- -	<i>25th March 2021</i>

The Secretary of State, in exercise of the powers conferred by sections 12, 40 and 42(1) and (2) of the Welfare Reform Act 2012<sup>(1)</sup>, makes the following Regulations.

In accordance with section 173(1)(b) of the Social Security Administration Act 1992<sup>(2)</sup> the Social Security Advisory Committee has agreed that the proposals in respect of these Regulations should not be referred to it.

**Citation and commencement**

1. These Regulations may be cited as the Universal Credit (Childcare in Wales) (Amendment) Regulations 2021 and come into force on 25th March 2021.

**Amendment to the Universal Credit Regulations 2013**

2. In regulation 35 (meaning of “relevant childcare”), in paragraph (4)(c), of the Universal Credit Regulations 2013<sup>(3)</sup> after “Tax Credits Act 2002” insert “or made by the Welsh Ministers under section 60 (promotion etc. of well-being) of the Government of Wales Act 2006<sup>(4)</sup>”.

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(1) 2012 c. 5. Section 40 is cited for the meaning of “prescribed”.

(2) 1992 c. 5.

(3) S.I. 2013/376. Regulation 35 was amended by S.I. 2013/1508 and 2018/228.

(4) 2006 c. 32.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed by the authority of the Secretary of State for Work and Pensions

2nd March 2021

*Will Quince*  
Parliamentary Under Secretary of State  
Department for Work and Pensions

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend regulation 35 of the Universal Credit Regulations 2013 ([S.I. 2013/376](#)).

Regulation 2 amends the definition of “relevant childcare” (specifically in relation to care provided in Wales) for the purposes of claiming childcare costs in universal credit. The definition currently includes care by childcare providers who have been approved in accordance with a scheme then made by the then National Assembly for Wales under a power in the Tax Credits Act 2002. That power, which had been relied upon to create a scheme to approve home childcare providers (i.e. nannies), has now been repealed subject to saving provisions. This amendment adds the power that will be used for the replacement scheme into the definition of “relevant childcare” so that universal credit claimants in Wales who use a nanny to provide childcare can continue to be reimbursed for childcare costs once the new scheme takes effect. By including the power to establish approval schemes within the definition, the amendment would also enable universal credit claimants to be reimbursed if using a childcare provider approved under other schemes made by the Welsh Ministers.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, public or voluntary sectors is foreseen.