

2023 No. 7

SOCIAL SECURITY

**The Universal Credit (Administrative Earnings Threshold)
(Amendment) Regulations 2023**

<i>Made</i>	- - - -	<i>6th January 2023</i>
<i>Laid before Parliament</i>		<i>9th January 2023</i>
<i>Coming into force</i>	- -	<i>30th January 2023</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 24(1)(a) and 42(1) and (2) of, and paragraphs 1(1) and 4(1)(b), (2)(d) and (3)(a) of Schedule 6 to, the Welfare Reform Act 2012(a).

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

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Universal Credit (Administrative Earnings Threshold) (Amendment) Regulations 2023 and come into force on 30th January 2023.

(2) Any amendment made by these Regulations has the same extent as the provision amended.

Amendment of the Universal Credit Regulations 2013

2. In paragraph (6) of regulation 99 of the Universal Credit Regulations 2013 (circumstances in which requirements must not be imposed)(c)—

(a) in sub-paragraph (a), for “12 hours” substitute “15 hours”;

(b) in sub-paragraph (b), for “19 hours” substitute “24 hours”.

Consequential amendment – transitional protection

3. For paragraph (3) of regulation 56 of the Universal Credit (Transitional Provisions) Regulations 2014 (circumstances in which transitional protection ceases)(d) substitute—

“(3) For the purposes of paragraph (2)—

(a) 2012 c. 5.

(b) 1992 c. 5.

(c) S.I. 2013/376, amended by S.I. 2015/89 and 1754 and 2022/886.

(d) S.I. 2014/1230. Regulation 56 was inserted by S.I. 2019/1152.

- (a) references to the amount specified in regulation 99(6)(a) and 99(6)(b) respectively of the Universal Credit Regulations are to the amount that was applicable on the first day of the award; and
- (b) a claimant is to be treated as having earned income that is equal to or more than the single administrative threshold and the couple administrative threshold respectively in any assessment period in respect of which regulation 62 (minimum income floor) of the Universal Credit Regulations applies to that claimant or would apply but for regulation 62(5) of those Regulations (minimum income floor not to apply in a start-up period).”.

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

6th January 2023

Mims Davies
Parliamentary Under Secretary of State
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 99 of the Universal Credit Regulations 2013 (S.I. 2013/376), which sets out the circumstances in which work search and work availability requirements may not be imposed on a universal credit claimant.

Regulation 2 amends paragraph (6) of regulation 99 so that work search and work availability requirements may not be imposed where a claimant has monthly earnings from employment that are equal to, or more than, 15 hours per week at the national minimum wage rate as set out in regulation 4 of the National Minimum Wage Regulations 2015 (“the national living wage”) or, where the claimant is a member of a couple, their combined earnings from employment are equal to, or more than, 24 hours per week at the national living wage rate, in both cases converted to a monthly amount by multiplying by 52 and dividing by 12.

Regulation 3 makes a consequential amendment to regulation 56 of the Universal Credit (Transitional Provisions) Regulations 2014 (S.I. 2014/1230). Regulation 56 provides for transitional protection to cease where a claimant has earnings above or equal to the threshold in regulation 99(6) of the Universal Credit Regulations 2013 when they first claim universal credit, and these subsequently fall below that threshold for three consecutive assessment periods. The amendment provides for the amount of the threshold to remain at the amount that was applicable at the beginning of the claimant’s universal credit award, ensuring that an existing claimant will not lose transitional protection as a consequence of the amendments to regulation 99(6) by regulation 2 of these Regulations.

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.

© Crown copyright 2023

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of His Majesty’s Stationery Office and King’s Printer of Acts of Parliament.

£4.90

<http://www.legislation.gov.uk/id/ukSI/2023/7>

ISBN 978-0-34-824345-1



9 780348 243451