

SCHEDULE 10

Regulation 48

Capital to be disregarded

Premises

1.—(1) Premises occupied by a person as their home.

(2) For the purposes of this paragraph and paragraphs 2 to 5, only one set of premises may be treated as a person's home.

2. Premises occupied by a close relative of a person as their home where that close relative has limited capability for work or has reached the qualifying age for state pension credit.

3. Premises occupied by a person's former partner as their home where the person and their former partner are not estranged, but living apart by force of circumstances, for example where the person is in residential care.

4.—(1) Premises that a person intends to occupy as their home where—

- (a) the person has acquired the premises within the past 6 months but not yet taken up occupation;
- (b) the person is taking steps to obtain possession and has commenced those steps within the past 6 months; or
- (c) the person is carrying out essential repairs or alterations required to render the premises fit for occupation and these have been commenced within the past 6 months.

(2) A person is to be taken to have commenced steps to obtain possession of premises on the date that legal advice is first sought or proceedings are commenced, whichever is earlier.

5. Premises that a person has ceased to occupy as their home following an estrangement from their former partner where—

- (a) the person has ceased to occupy the premises within the past 6 months; or
- (b) the person's former partner is a lone parent and occupies the premises as their home.

6. Premises that a person is taking reasonable steps to dispose of where those steps have been commenced within the past 6 months.

Business assets

7. Assets which are used wholly or mainly for the purposes of a trade, profession or vocation which the person is carrying on.

8. Assets which were used wholly or mainly for a trade, profession or vocation that the person has ceased to carry on within the past 6 months if—

- (a) the person is taking reasonable steps to dispose of those assets; or
- (b) the person ceased to be engaged in carrying on the trade, profession or vocation because of incapacity and can reasonably expect to be reengaged on recovery.

Rights in pensions schemes etc

9. The value of any policy of life insurance.

10.—(1) The value of any right to receive a pension under an occupational or personal pension scheme or any other pension scheme registered under section 153 of the Finance Act 2004 ^{M1}.

(2) “Occupational pension scheme” and “personal pension scheme” have the meaning in section 1 of the Pension Schemes Act 1993 ^{M2}.

Status: Point in time view as at 09/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Universal Credit Regulations 2013, SCHEDULE 10. (See end of Document for details)

Marginal Citations

M1 2004 c.12.

M2 1993 c.48.

11.—(1) The value of a funeral plan contract.

(2) “Funeral plan contract” means a contract under which the person makes payments to a person to secure the provision of a funeral and where the sole purpose of the plan is the provision of a funeral.

Amounts earmarked for special purposes

12. An amount deposited with a housing association as a condition of the person occupying premises as their home.

13. An amount received within the past 6 months which is to be used for the purchase of premises that the person intends to occupy as their home where that amount—

- (a) is attributable to the proceeds of the sale of premises formerly occupied by the person as their home;
- (b) has been deposited with a housing association as mentioned in paragraph 12; or
- (c) is a grant made to the person for the sole purpose of the purchase of a home.

14. An amount received under an insurance policy within the past 6 months in connection with the loss or damage to the premises occupied by the person as their home or to their personal possessions.

15. An amount received within the past 6 months that is to be used for making essential repairs or alterations to premises occupied or intended to be occupied as the person's home where that amount has been acquired by the person (whether by grant or loan or otherwise) on condition that it is used for that purpose.

Other payments

16. A payment made within the past 12 months under Part 8 of the Contributions and Benefits Act (the social fund).

17.—(1) A payment made within the past 12 months by or on behalf of a local authority—

- (a) under section 17, 23B, 23C or 24A of the Children Act 1989^{M3}, section 12 of the Social Work (Scotland) Act 1968^{M4}[^{F1}], section 29 or 30 of the Children (Scotland) Act 1995 or section 37, 38, 109, 110, 114 or 115 of the Social Services and Well-being (Wales) Act 2014]; or
- (b) under any other enactment in order to meet a person's welfare needs related to old age or disability, other than living expenses.

(2) In sub-paragraph (1) “living expenses” has the meaning in regulation 66(2).

Textual Amendments

F1 Words in Sch. 10 para. 17(1)(a) substituted (3.11.2017) by [The Social Services and Well-being \(Wales\) Act 2014 and the Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Order 2017 \(S.I. 2017/901\)](#), arts. 1, 15

Marginal Citations

M3 1989 c.41. Sections 23B and 23C were inserted by section 2 of the Children (Leaving Care) act 2000 (c.35) and section 24A was inserted by section 4 of that Act.

M4 1969 c.49.

18.—(1) A payment received within the past 12 months by way of arrears of, or compensation for late payment of—

- (a) universal credit;
- (b) a benefit abolished by section 33 of the Act; or
- (c) a social security benefit which is not included as unearned income under regulation 66(1) (a) or (b).

(2) “Social security benefit” means a benefit under any enactment relating to social security in any part of the United Kingdom [^{F2}and includes armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011].

Textual Amendments

F2 Words in Sch. 10 para. 18(2) inserted (31.10.2019) by [The Social Security \(Capital Disregards\) \(Amendment\) Regulations 2019 \(S.I. 2019/1314\)](#), regs. 1, **8(2)**

19. A payment to a person by virtue of being a holder of the Victoria Cross or George Cross.

[^{F3}**20.** A payment made within the past 12 months of bereavement support payment in respect of the rate set out in regulation 3(2) or (5) of the Bereavement Support Payment Regulations 2017 (rate of bereavement support payment).]

Textual Amendments

F3 Sch. 10 para. 20 inserted (coming into force in accordance with arts. 1-3 of the amending S.I.) by [The Pensions Act 2014 \(Consequential, Supplementary and Incidental Amendments\) Order 2017 \(S.I. 2017/422\)](#), arts. 1(2), **43(4)**

[^{F4}**21.** Any early years assistance given within the past 12 months in accordance with section 32 of the Social Security (Scotland) Act 2018.]

Textual Amendments

F4 Sch. 10 para. 21 inserted (coming into force in accordance with art. 1(2) of the amending S.I.) by [The Social Security \(Scotland\) Act 2018 \(Best Start Grants\) \(Consequential Modifications and Saving\) Order 2018 \(S.I. 2018/1138\)](#), art. **11(2)**

[^{F5}**22.** Any funeral expense assistance given within the past 12 months in accordance with section 34 of the Social Security (Scotland) Act 2018.]

Textual Amendments

F5 Sch. 10 para. 22 inserted (16.9.2019 immediately after S.S.I. 2019/292 comes into force) by [The Social Security \(Scotland\) Act 2018 \(Funeral Expense Assistance and Early Years Assistance\) \(Consequential Modifications and Savings\) Order 2019 \(S.I. 2019/1060\)](#), arts. 1(2)(b), **19(2)**

[^{F6}**23.** Any assistance given within the past 52 weeks in accordance with the Carer’s Assistance (Young Carer Grants) (Scotland) Regulations 2019.]

Status: Point in time view as at 09/11/2020.

Changes to legislation: There are currently no known outstanding effects for the The Universal Credit Regulations 2013, SCHEDULE 10. (See end of Document for details)

Textual Amendments

- F6** Sch. 10 para. 23 inserted (9.11.2020) by The Social Security (Scotland) Act 2018 (Young Carer Grants, Short-Term Assistance and Winter Heating Assistance) (Consequential Provision and Modifications) Order 2020 (S.I. 2020/989), arts. 1(2), **8(2)**

[^{F7}**24.** Any winter heating assistance given within the past 52 weeks in accordance with regulations under section 30 of the Social Security (Scotland) Act 2018.]

Textual Amendments

- F7** Sch. 10 para. 24 inserted (9.11.2020) by The Social Security (Scotland) Act 2018 (Young Carer Grants, Short-Term Assistance and Winter Heating Assistance) (Consequential Provision and Modifications) Order 2020 (S.I. 2020/989), arts. 1(2), **21(2)**

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Changes to legislation:

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