
STATUTORY INSTRUMENTS

2017 No. 204

The Employment and Support Allowance and
Universal Credit (Miscellaneous Amendments and
Transitional and Savings Provisions) Regulations 2017

PART 2

Universal Credit: limited capability for work element

Amendments to the Universal Credit Regulations 2013

4.—(1) The Universal Credit Regulations 2013(1) are amended as follows.

(2) In regulation 2 (interpretation), for the definition of ““LCW element” and “LCWRA element”” substitute—

““LCWRA element” has the meaning in regulation 27;”.

(3) In regulation 23 (introduction), in paragraph (2)(a) omit “the LCW element and”.

(4) In regulation 27 (award to include LCW and LCWRA elements)—

(a) in the heading, for “LCW and LCWRA elements” substitute “LCWRA element”;

(b) for paragraph (1) substitute—

“(1) An award of universal credit is to include an amount in respect of the fact that a claimant has limited capability for work and work-related activity (“the LCWRA element”).”;

(c) in paragraph (2), for “amounts of those elements are” substitute “amount of that element is”;

(d) in paragraph (3), omit “work or for”;

(e) for paragraph (4), substitute—

“(4) In the case of joint claimants, where each of them has limited capability for work and work-related activity, the award is only to include one LCWRA element.”.

(5) In regulation 28 (period for which the LCW or LCWRA element is not to be included)—

(a) in the heading and in paragraphs (1), (2)(a) and (3)(a), omit “LCW or”;

(b) in paragraph (5)(b)(i), omit “or the work-related activity component”;

(c) omit paragraph (6).

(6) In regulation 29 (award to include the carer element), for paragraph (4) substitute—

“(4) Where an amount would, apart from this paragraph, be included in an award in relation to a claimant by virtue of paragraphs (1) to (3), and the claimant has limited capability for work and work-related activity (and, in the case of joint claimants, the

(1) [S.I. 2013/376](#); relevant amending instruments are [S.I. 2015/30](#), [2015/457](#) and [2015/1754](#). Regulation 36 is also amended by section 14(5)(b) of the Welfare Reform and Work Act 2016 from a date to be appointed.

LCWRA element has not been included in respect of the other claimant), only the LCWRA element may be included in respect of the claimant.”.

- (7) In regulation 36 (table showing amounts of elements)—
 - (a) in paragraph (1), for “LCW and LCWRA elements” substitute “LCWRA element”;
 - (b) in the table—
 - (i) for the row “LCW and LCWRA elements” substitute “LCWRA element”;
 - (ii) omit the row under “LCWRA element” (as amended by paragraph (i)) showing the amount for limited capability for work.