
DRAFT STATUTORY INSTRUMENTS

2013 No.

**The Social Security (Payments on
Account of Benefit) Regulations 2013**

PART 1

General

Citation and commencement

1.—(1) These Regulations may be cited as the Social Security (Payments on Account of Benefit) Regulations 2013.

(2) They come into force—

- (a) for the purposes of this Part and Part 2 (except the provisions specified in paragraph (3)) and Part 4, on 1st April 2013;
- (b) for all other purposes, on 29th April 2013.

(3) The specified provisions are—

- (a) in regulation 2(1)
 - (i) the definitions of “the UC etc. Claims and Payments Regulations”, “the Universal Credit Regulations” and “universal credit”;
 - (ii) paragraph (a) of the definition of “couple”;
- (b) regulation 2(2) and (3)(a);
- (c) regulation 3(1)(a) and (2)(a)(i) and (b)(i);
- (d) regulation 5(3)(a);
- (e) regulation 7(2); and
- (f) regulation 8(2).

Interpretation

2.—(1) In these Regulations—

“the 1995 Act” means the Jobseekers Act 1995(1);

“the 2007 Act” means the Welfare Reform Act 2007(2);

“the 2012 Act” means the Welfare Reform Act 2012;

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992(3);

(1) 1995 c.18.
(2) 2007 c.5.
(3) 1992 c.4.

“the 1988 Regulations” means the Social Security (Payments on account, Overpayments and Recovery) Regulations 1988(4);

“the Claims and Payments Regulations” means the Social Security (Claims and Payments) Regulations 1987(5);

“the UC etc. Claims and Payments Regulations” means the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013(6);

“the Universal Credit Regulations” means the Universal Credit Regulations 2013(7);

“couple” —

(a) where these Regulations apply in relation to universal credit, has the same meaning as in Part 1 of the 2012 Act(8);

(b) where these Regulations apply in relation to the benefits specified in regulation 3(1)(b) to (f), has the same meaning as in section 137(1) of the Contributions and Benefits Act(9);

“partner” means, where the person being referred to is a member of a couple, the other member of the couple;

“universal credit” means the benefit under Part 1 of the 2012 Act.

(2) Where these Regulations apply in relation to universal credit, “child” and “qualifying young person” have the same meaning as in Part 1 of the 2012 Act(10) and whether or not a person is responsible for a child or qualifying young person is to be determined in accordance with regulation 4 of the Universal Credit Regulations.

(3) In these Regulations, “writing” includes writing produced by means of electronic communications and, where such communications are used by the Secretary of State—

(a) Schedule 2 to the UC etc. Claims and Payments Regulations; or, as the case may be,

(b) Schedule 9ZC to the Claims and Payments Regulations(11),

has effect in connection with notices required to be given or sent under regulations 8 and 17 as it has effect in connection with claims for, and awards of, any benefit to which those Regulations apply.

(4) S.I.1988/664.

(5) S.I.1987/1968.

(6) S.I.2013/ .

(7) S.I.2013/ .

(8) See section 39 of that Act.

(9) The definition is inserted by paragraph 46 of Schedule 24 to the Civil Partnership Act 2004 (c.33).

(10) See section 40 of that Act.

(11) Schedule 9ZC is inserted by S.I.2003/2800 and amended by S.I.2005/3321 and 2011/1498 and 2943.