
DRAFT STATUTORY INSTRUMENTS

2018 No.

The Help-to-Save Accounts Regulations 2018

Eligible persons – entitlement to working tax credit or universal credit

3.—(1) This regulation specifies the conditions to be met by an individual for the purposes of meeting the first benefit entitlement condition and the second benefit entitlement condition.

(2) The specified condition relating to the first benefit entitlement condition is that on each of the eligibility reference dates—

Condition 1

the individual (whether alone or with another person) has a current award validly obtained of working tax credit (not being at a nil rate) under section 14 of the Tax Credits Act; or

Condition 2

the individual (whether alone or with another person) has a current award validly obtained under section 14 of the Tax Credits Act of working tax credit at a nil rate and of child tax credit at a rate other than a nil rate; or

Condition 3

(a) (a) the individual would have met either Condition 1 or Condition 2 if the reference in the condition to “has” were a reference to “had, immediately before the end of the preceding tax year”; and

(b) (b) payments are in fact being made under section 24(4) of the Tax Credits Act and are treated by section 24(5) of that Act as if they were payments of working tax credit or child tax credit that the individual (whether alone or with another person) is entitled to claim for the current tax year.

(3) The specified condition relating to the second benefit entitlement condition is that on each of the eligibility reference dates—

(a) the individual (as a single claimant or as a joint claimant) is in receipt of a current award validly obtained of universal credit (not being a nil award), and

(b) has earned income in the assessment period immediately preceding the first eligibility reference date equal to or greater than the equivalent of 16 hours per week at the national living wage rate.

(4) A benefit entitlement condition is to be treated as met on any day if it would have been met but for an error or delay on the part of HMRC.

(5) For the purposes of paragraph (2), “a current award” includes revisions of the award (otherwise than to revoke the award) under section 15 or 16 of the Tax Credits Act.

(6) In this regulation—

(a) “working tax credit”, “child tax credit” and “tax credit” have the meanings given by the Tax Credits Act;

- (b) “assessment period” and “earned income” have the meanings given by the Universal Credit Regulations 2013⁽¹⁾ or, in the case of Northern Ireland, the Welfare Reform (Northern Ireland) Order 2015⁽²⁾;
- (c) “joint claimant”, “single claimant”, and “universal credit” have the meanings given by the Welfare Reform Act 2012 ⁽³⁾ or, in the case of Northern Ireland, the Welfare Reform (Northern Ireland) Order 2015;
- (d) “national living wage rate” has the meaning given by the National Minimum Wage Regulations 2015 ⁽⁴⁾; and
- (e) “Tax Credits Act” means the Tax Credits Act 2002 ⁽⁵⁾.

(1) S.I. 2013/376.

(2) S.I. 2015/2006 (N.I. 1).

(3) 2012 c. 5.

(4) S.I. 2015/621. Relevant amending instrument is S.I. 2016/68.

(5) 2002 c. 21.