
STATUTORY INSTRUMENTS

2013 No. 376

The Universal Credit Regulations 2013

PART 1

INTRODUCTION

Interpretation

2. In these Regulations—

“the Act” means the Welfare Reform Act 2012;

^{F1} ...

[^{F2}“adopter” has the meaning in regulation 89(3)(a);]

“attendance allowance” means—

- (a) an attendance allowance under section 64 of the Contributions and Benefits Act;
- (b) an increase of disablement pension under section 104 or 105 of that Act (increases where constant attendance needed and for exceptionally severe disablement);
- (c) ^{F3}
- (d) a payment by virtue of article 14, 15, 16, 43 or 44 of the Personal Injuries (Civilians) Scheme 1983 ^{M1} or any analogous payment;
- (e) any payment based on the need for attendance which is paid as an addition to a war disablement pension;
- (f) [^{F4}armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011;]

^{F5} ...

[^{F6}“blind” means certified as severely sight impaired or blind by a consultant ophthalmologist;]

“care leaver” has the meaning in regulation 8;

“carer's allowance” means a carer's allowance under section 70 of the Contributions and Benefits Act ^{M2};

“carer element” has the meaning in regulation 29;

[^{F7}“child disability payment” has the meaning given in regulation 2 of the DACYP Regulations;]

“childcare costs element” has the meaning in regulation 31;

“child element” has the meaning in regulation 24;

“close relative”, in relation to a person, means—

- (a) a parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother or sister; and

- (b) if any of the above is a member of a couple, the other member of the couple;
- “confinement” has the meaning in regulation 8;
- “Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992 ^{M3};
- “course of advanced education” has the meaning in regulation 12;
- [^{F8}“the DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;]
- “disability living allowance” means an allowance under section 71 of the Contributions and Benefits Act;
- “earned income” has the meaning in Chapter 2 of Part 6;
- “EEA Regulations” means the [^{F9}Immigration (European Economic Area) Regulations 2016 [^{F10}and references to the EEA Regulations are to be read with Schedule 4 to the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020(Consequential, Saving, Transitional and Transitory Provisions) Regulations 2020.]];]
- “employment and support allowance” means an allowance under Part 1 of the Welfare Reform Act 2007 ^{M4} as amended by Schedule 3 and Part 1 of Schedule 14 to the Welfare Reform Act 2012 (removing references to an income-related allowance);
- [^{F11}“enactment” includes an enactment comprised in, or an instrument made under, an Act of the Scottish Parliament or the National Assembly of Wales;]
- “ESA Regulations” means the Employment and Support Allowance Regulations 2013 ^{M5};
- “expected number of hours per week” has the meaning in regulation 88;
- “foster parent” means—
- (a) in relation to England, a person with whom a child is placed under the Fostering Services Regulations 2011 ^{M6};
 - (b) in relation to Wales, a person with whom a child is placed under the Fostering Services (Wales) Regulations 2003 ^{M7};
 - (c) in relation to Scotland, a foster carer or kinship carer with whom a child is placed under the Looked After Children (Scotland) Regulations 2009 ^{M8};
- “grant” has the meaning in regulation 68;
- “health care professional” means (except in regulation 98)—
- (a) a registered medical practitioner;
 - (b) a registered nurse; or
 - (c) an occupational therapist or physiotherapist registered with a regulatory body established by Order in Council under section 60 of the Health Act 1999 ^{M9};
- “housing costs element” has the meaning in regulation 25;
- “individual threshold” has the meaning in regulation 90(2);
- “industrial injuries benefit” means a benefit under Part 5 of the Contributions and Benefits Act;
- “ITEPA” means the Income Tax (Earnings and Pensions) Act 2003 ^{M10};
- “jobseeker's allowance” means an allowance under the Jobseekers Act 1995 ^{M11} as amended by Part 1 of Schedule 14 to the Act (removing references to an income-based allowance);
- “local authority” means—

- (a) in relation to England, a county council, a district council, a parish council, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly;
- (b) in relation to Wales, a county council, a county borough council or a community council;
- (c) in relation to Scotland, a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 ^{M12};

[^{F12}“LCWRA element” has the meaning in regulation 27;]

“looked after by a local authority” in relation to a child or young person means a child or young person who is looked after by a local authority within the meaning of section 22 of the Children Act 1989 ^{M13}[^{F13}, section 17(6) of the Children (Scotland) Act 1995 or section 74 of the Social Services and Well-being (Wales) Act 2014];

“maternity allowance” means a maternity allowance under section 35 [^{F14}or 35B] of the Contributions and Benefits Act;

“Medical Evidence Regulations” means the Social Security (Medical Evidence) Regulations 1976 ^{M14};

[^{F15}“monthly earnings” has the meaning in regulation 90(6);]

“national insurance contribution” means a contribution under Part 1 of the Contributions and Benefits Act;

[^{F16}“National Minimum Wage Regulations” means the National Minimum Wage Regulations 2015;]

“^{F17}... statutory paternity pay” means ^{F17}... statutory paternity pay under Part 12ZA of the Contributions and Benefits Act;

“paid work” means work done for payment or in expectation of payment and does not include being engaged by a charitable or voluntary organisation, or as a volunteer, in circumstances in which the payment received by or due to be paid to the person is in respect of expenses;

“partner” means (except in regulation 77) the other member of a couple;

“personal independence payment” means an allowance under Part 4 of the Welfare Reform Act 2012;

“prisoner” means—

- (a) a person who is detained in custody pending trial or sentence upon conviction or under a sentence imposed by a court; or
- (b) is on temporary release in accordance with the provisions of the Prison Act 1952 ^{M15} or the Prisons (Scotland) Act 1989 ^{M16},

other than a person who is detained in hospital under the provisions of the Mental Health Act 1983 ^{M17} or, in Scotland, under the provisions of the Mental Health (Care and Treatment) (Scotland) Act 2003 ^{M18} or the Criminal Procedure (Scotland) Act 1995 ^{M19};

“qualifying young person” has the meaning in regulation 5;

“redundancy” has the meaning in section 139(1) of the Employment Rights Act 1996 ^{M20};

^{F18} ...

“regular and substantial caring responsibilities for a severely disabled person” has the meaning in regulation 30;

“relevant childcare” has the meaning in regulation 35;

“responsible for a child or qualifying young person” has the meaning in regulation 4;

“statutory adoption pay” means a payment under Part 12ZB of the Contributions Benefits Act ^{M21};

“statutory maternity pay” means a payment under Part 12 of the Contributions and Benefits Act;

[^{F19}“statutory parental bereavement pay” means statutory parental bereavement pay payable in accordance with Part 12ZD of the Contributions and Benefits Act;]

[^{F20}“statutory shared parental pay” means statutory shared parental pay payable in accordance with Part 12ZC of the Contributions and Benefits Act;]

“statutory sick pay” means a payment under Part 11 of the Contributions and Benefits Act;

[^{F21}“step-parent”, in relation to a child or qualifying young person (“A”), means a person who is not A’s parent but—

- (a) is a member of a couple, the other member of which is a parent of A, where both are responsible for A; or
- (b) was previously a member of a couple, the other member of which was a parent of A, where immediately prior to ceasing to be a member of that couple the person was, and has since continued to be, responsible for A.]

“student loan” has the meaning in regulation 68;

“terminally ill” means suffering from a progressive disease where death in consequence of that disease can reasonably be expected within 6 months;

“total outstanding reduction period” has the meaning in regulation 101(5);

“trade dispute” has the meaning in section 244 of the Trade Union and Labour Relations (Consolidation) Act 1992 ^{M22};

“unearned income” has the meaning in Chapter 3 of Part 6;

“war disablement pension” means any retired pay, pension or allowance payable in respect of disablement under an instrument specified in section 639(2) of ITEPA;

^{F22} ...

“widowed mother's allowance” means an allowance under section 37 of the Contributions and Benefits Act;

“widowed parent's allowance” means an allowance under section 39A of the Contributions and Benefits Act ^{M23};

“widow's pension” means a pension under section 39 of the Contributions and Benefits Act.

Textual Amendments

- F1** Words in reg. 2 omitted (5.4.2015) by virtue of [The Shared Parental Leave and Statutory Shared Parental Pay \(Consequential Amendments to Subordinate Legislation\) Order 2014 \(S.I. 2014/3255\)](#), arts. 1(3), **28(2)(a)** (with art. 35(1))
- F2** Words in reg. 2 inserted (29.4.2013) by [The Universal Credit \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/803\)](#), regs. 1, **2(2)**
- F3** Words in reg. 2 omitted (29.10.2013) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No. 2\) Regulations 2013 \(S.I. 2013/1508\)](#), regs. 1(2)(b), **3(2)**
- F4** Words in reg. 2 inserted (8.4.2013) by virtue of [The Armed Forces and Reserve Forces Compensation Scheme \(Consequential Provisions: Subordinate Legislation\) Order 2013 \(S.I. 2013/591\)](#), regs. 2(2), 7, **Sch. para. 54(2)**

- F5** Words in reg. 2 omitted (coming into force in accordance with arts. 1-3 of the amending S.I.) by virtue of The Pensions Act 2014 (Consequential, Supplementary and Incidental Amendments) Order 2017 (S.I. 2017/422), arts. 1(2), **43(2)**
- F6** Words in reg. 2 inserted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), **3(1)(a)(ii)**
- F7** Words in reg. 2 inserted (26.7.2021) by The Social Security (Scotland) Act 2018 (Disability Assistance for Children and Young People) (Consequential Modifications) Order 2021 (S.I. 2021/786), art. 1(2), **Sch. 11 para. 2(a)**
- F8** Words in reg. 2 inserted (26.7.2021) by The Social Security (Scotland) Act 2018 (Disability Assistance for Children and Young People) (Consequential Modifications) Order 2021 (S.I. 2021/786), art. 1(2), **Sch. 11 para. 2(b)**
- F9** Words in reg. 2 substituted (7.5.2019) by The Social Security (Income-related Benefits) (Updating and Amendment) (EU Exit) Regulations 2019 (S.I. 2019/872), regs. 1, **8(2)**
- F10** Words in reg. 2 inserted (31.12.2020) by The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020 (S.I. 2020/1309), regs. 1(2), **75(2)**
- F11** Words in reg. 2 inserted (28.4.2014) by The Universal Credit and Miscellaneous Amendments Regulations 2014 (S.I. 2014/597), regs. 1, **2(2)**
- F12** Words in reg. 2 substituted (3.4.2017) by The Employment and Support Allowance and Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations 2017 (S.I. 2017/204), regs. 1, **4(2)** (with Sch. 2 paras. 8-15)
- F13** Words in reg. 2 substituted (26.5.2016) by The Universal Credit (Care Leavers and Looked After Children) Amendment Regulations 2016 (S.I. 2016/543), regs. 1, **2(2)**
- F14** Words in reg. 2 inserted (18.5.2014) by The Social Security (Maternity Allowance) (Miscellaneous Amendments) Regulations 2014 (S.I. 2014/884), regs. 1, **6(1)**
- F15** Words in reg. 2 inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments Regulations 2015 (S.I. 2015/1754), regs. 1(1), **2(2)**
- F16** Words in reg. 2 inserted (25.7.2016) by The Social Security (Jobseekers Allowance, Employment and Support Allowance and Universal Credit) (Amendment) Regulations 2016 (S.I. 2016/678), regs. 1, **5(2)**
- F17** Words in reg. 2 omitted (5.4.2015) by virtue of The Shared Parental Leave and Statutory Shared Parental Pay (Consequential Amendments to Subordinate Legislation) Order 2014 (S.I. 2014/3255), arts. 1(3), **28(2)(b)** (with art. 35(1))
- F18** Words in reg. 2 omitted (with effect in accordance with reg. 1(2) of the amending S.I.) by virtue of The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), **3(1)(a)(i)**
- F19** Words in reg. 2 inserted (6.4.2020) by The Parental Bereavement Leave and Pay (Consequential Amendments to Subordinate Legislation) Regulations 2020 (S.I. 2020/354), regs. 1, **28(2)**
- F20** Words in reg. 2 inserted (31.12.2014) by The Shared Parental Leave and Statutory Shared Parental Pay (Consequential Amendments to Subordinate Legislation) Order 2014 (S.I. 2014/3255), arts. 1(2), **28(2)(c)**
- F21** Words in reg. 2 inserted (6.4.2017) by The Social Security (Restrictions on Amounts for Children and Qualifying Young Persons) Amendment Regulations 2017 (S.I. 2017/376), regs. 1, **2(2)**
- F22** Words in reg. 2 omitted (with effect in accordance with reg. 1(3) of the amending S.I.) by virtue of The Universal Credit and Miscellaneous Amendments Regulations 2015 (S.I. 2015/1754), regs. 1(1), **2(2)**

Modifications etc. (not altering text)

- C1** Reg. 2 applied (with modifications) (31.12.2020) by The Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020 (S.I. 2020/1209), regs. 1(1), **3(3)**, 4(4), 11(t)

Marginal Citations

- M1** S.I. 1983/686. Article 14 was substituted, and articles 15 and 16 were amended, by S.I. 2001/1420.

Status: Point in time view as at 26/07/2021. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the
The Universal Credit Regulations 2013, Section 2. (See end of Document for details)

- M2** Section 70 has been amended by S.I. 1994/2556 and S.I. 2002/1457.
- M3** 1992 c.4.
- M4** 2007 c.5.
- M5** S.I.2013/379
- M6** S.I. 2011/581.
- M7** S.I. 2003/237 amended by S.I. 2003/896.
- M8** S.S.I. 2009/210.
- M9** 1999 c.8.
- M10** 2003 c.1.
- M11** 1995 c.18.
- M12** 1994 c.39.
- M13** 1989 c.41.
- M14** S.I. 1976/615.
- M15** 1952 c.52.
- M16** 1989 c.45.
- M17** 1983 c.20.
- M18** 2003 asp13.
- M19** 1995 c.46.
- M20** 1996 c.18.
- M21** Part 12ZB was inserted by section 4 of the Employment Act 2002 (c.22).
- M22** 1992 c.52.
- M23** Section 39A was inserted by section 55(2) of the Welfare Reform and Pensions Act 1999 (c.30).

Status:

Point in time view as at 26/07/2021. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Universal Credit Regulations 2013, Section 2.