

---

STATUTORY INSTRUMENTS

---

**2013 No. 380**

**The Universal Credit, Personal Independence Payment,  
Jobseeker's Allowance and Employment and Support  
Allowance (Claims and Payments) Regulations 2013**

**PART 4**

Payments

**Payment of an employment and support allowance**

**51.**—(1) Subject to paragraphs (3) to (8), an employment and support allowance paid in accordance with regulation 46 is to be paid fortnightly in arrears on the day of the week determined in accordance with paragraph (2).

(2) The day specified for the purposes of paragraph (1) is the day in column (2) which corresponds to the series of numbers in column (1) which includes the last two digits of the claimant's national insurance number—

---

<i>(1)</i>	<i>(2)</i>
00 to 19	Monday
20 to 39	Tuesday
40 to 59	Wednesday
60 to 79	Thursday
80 to 99	Friday

---

(3) The Secretary of State may, in any case or class of case, arrange that the claimant be paid otherwise than fortnightly.

(4) In respect of an award of an employment and support allowance which is the subject of an arrangement for payment under regulation 46, the Secretary of State may make a particular payment by credit transfer otherwise than as provided by paragraph (1), if it appears to the Secretary of State appropriate to do so for the purpose of—

- (a) paying any arrears of benefit; or
- (b) making a payment in respect of a terminal period of an award or for any similar purpose.

[<sup>F1</sup>(4A) The Secretary of State may pay arrears of employment and support allowance in instalments where—

- (a) the Secretary of State considers it is necessary for protecting the interests of the claimant; and
- (b) the claimant agrees that those arrears may be paid in instalments.]

---

**Changes to legislation:** *There are currently no known outstanding effects for the The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013, Section 51. (See end of Document for details)*

---

(5) The Secretary of State may, in any case or class of case, arrange that an employment and support allowance be paid on any day of the week and where it is in payment to any person and the day on which it is payable is changed, it is to be paid at a daily rate of 1/7th of the weekly rate in respect of any of the days for which payment would have been made but for that change.

(6) Where the weekly amount of an employment and support allowance is less than £1.00 it may be paid in arrears at intervals of not more than 13 weeks.

(7) Where the weekly amount of an employment and support allowance is less than 10 pence that allowance is not payable.

(8) Where an employment and support allowance is normally payable in arrears and the day on which that benefit is payable by reason of paragraph (2) is affected by office closure, it may for that benefit week be paid wholly in advance or partly in advance and partly in arrears and on such day as the Secretary of State may direct.

(9) Where under paragraph (8) an employment and support allowance is paid either in advance or partly in advance and partly in arrears it is for any other purposes to be treated as if it were paid in arrears.

(10) For the purposes of paragraph (8), “benefit week” means a period of seven days beginning or ending with such day as the Secretary of State may direct.

(11) For the purposes of paragraph (8), “office closure” means a period during which an appropriate office is closed in connection with a public holiday.

(12) For the purposes of paragraph (11), “public holiday” means—

- (a) in England and Wales, Christmas Day, Good Friday or a bank holiday under the Banking and Financial Dealings Act 1971 <sup>M1</sup>;
- (b) in Scotland, a bank holiday under the Banking and Financial Dealings Act 1971 or a local holiday.

---

#### **Textual Amendments**

**F1** Reg. 51(4A) inserted (18.10.2021) by [The Social Security Benefits \(Claims and Payments\) \(Amendment\) Regulations 2021 \(S.I. 2021/1065\)](#), regs. 1(1), **3(4)**

---

#### **Marginal Citations**

**M1** 1971 c.80.

**Changes to legislation:**

There are currently no known outstanding effects for the The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013, Section 51.