
STATUTORY INSTRUMENTS

2013 No. 381

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

PART 5

SUSPENSION

Provision of information or evidence

45.—(1) This regulation applies where the Secretary of State requires information or evidence from a person mentioned in paragraph (2) (“P”) in order to determine whether a decision awarding a benefit should be revised under section 9 of the 1998 Act or superseded under section 10 of that Act.

(2) The persons are—

- (a) a person in respect of whom payment of any benefit has been suspended in the circumstances set out in regulation 44(2)(a) (suspension in prescribed cases);
- (b) a person who has made an application for a decision of the Secretary of State to be revised or superseded;
- (c) a person from whom the Secretary of State requires information or evidence under regulation 38(2) (evidence and information in connection with an award) of the Claims and Payments Regulations 2013;
- (d) a person from whom the Secretary of State requires documents, certificates or other evidence under regulation 31(3) (evidence and information) of the Jobseeker's Allowance Regulations 2013;
- (e) a person whose entitlement to an employment and support allowance or universal credit is conditional on their having, or being treated as having, limited capability for work.

(3) The Secretary of State must notify P of the requirements of this regulation.

(4) P must either—

- (a) supply the information or evidence within—
 - (i) a period of 14 days beginning with the date on which the notification under paragraph (3) was given or sent to P or such longer period as the Secretary of State allows in that notification, or
 - (ii) such longer period as P satisfies the Secretary of State is necessary in order to comply with the requirements, or
- (b) satisfy the Secretary of State within the period applicable under sub-paragraph (a)(i) that either—
 - (i) the information or evidence does not exist, or
 - (ii) it is not possible for P to obtain it.

(5) In relation to a person to whom paragraph (2)(d) refers, paragraph (4)(a)(i) has effect as if for “14 days” there were substituted “7 days”.

(6) The Secretary of State may suspend the payment of a benefit, in whole or part, to any person to whom paragraph (2)(b), (c), (d) or (e) applies who fails to satisfy the requirements of paragraph (4).

(7) In this regulation, “evidence” includes evidence which a person is required to provide in accordance with regulation 2 (evidence of incapacity for work, limited capability for work and confinement) of the Social Security (Medical Evidence) Regulations 1976⁽¹⁾.

(1) S.I. 1976/615. Regulation 2 was amended by S.I. 1987/409, 1994/2975, 1999/3109, 2001/2931, 2008/1554 and by S.I. 2010/137.