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STATUTORY INSTRUMENTS

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**2013 No. 612**

**The Fines, Council Tax and Community Charges (Deductions from Universal Credit and Other Benefits) Regulations 2013**

**Amendment of regulation 5**

**11.**—(1) Regulation 5 (deductions from debtor’s income support etc.) is amended as follows.

(2) In the heading, after “income support,” insert “universal credit.”

(3) After paragraph (1) insert—

“(1A) Subject to paragraphs (1B) and (1C) and regulation 8, where the Secretary of State receives an application from an authority in respect of a debtor who is entitled to universal credit, the Secretary of State may deduct from the universal credit payable to the debtor an amount equal to 5 per cent. of the appropriate universal credit standard allowance and pay that sum to the authority towards satisfaction of any outstanding sum which is, or forms part of, the amount in respect of which the liability order was made or the summary warrant or decree was granted.

(1B) No amount may be deducted under paragraph (1A) where it would reduce the amount of universal credit payable to the debtor to less than 1 penny.

(1C) For the purpose of paragraph (1A), where 5 per cent. of the appropriate universal credit standard allowance results in a fraction of a penny, that fraction is to be disregarded if it is less than half a penny and otherwise it is to be treated as a penny.

(1D) In paragraphs (1A) and (1C), “appropriate universal credit standard allowance” means the appropriate universal credit standard allowance for the debtor for the assessment period in question under regulation 36 of the UC Regulations.”

(4) For paragraph (2) substitute—

“(2) Subject to regulation 8, where—

(a) the Secretary of State receives an application from an authority in respect of a debtor who is entitled to contribution-based jobseeker’s allowance or contributory employment and support allowance; and

(b) the amount of that allowance payable, before any deduction under this paragraph, is 10 pence or more,

the Secretary of State may deduct a sum from that allowance, up to the appropriate maximum specified in paragraph (2A), and pay that sum to the authority towards satisfaction of any outstanding sum which is, or forms part of, the amount in respect of which the liability order was made or the summary warrant or decree was granted.

(2A) The appropriate maximum is 40 per cent. of the appropriate age-related amount for the debtor specified—

(a) where the debtor is entitled to contribution-based jobseeker’s allowance, in regulation 79 of the Jobseeker’s Allowance Regulations 1996 or, as the case may be, regulation 49 of the Jobseeker’s Allowance Regulations 2013;

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(b) where the debtor is entitled to contributory employment and support allowance, in paragraph 1(1) of Schedule 4 to the Employment and Support Allowance Regulations 2008<sup>(1)</sup> or, as the case may be, regulation 62(1)(b) of the Employment and Support Allowance Regulations 2013.”.

(5) Omit paragraph (3).

(6) The amendment made by paragraph (4) does not have effect in respect of an application received by the Secretary of State from an authority in respect of a debtor before the day on which these Regulations come into force.