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STATUTORY INSTRUMENTS

2014 No. 1230

SOCIAL SECURITY

The Universal Credit (Transitional Provisions) Regulations 2014

<i>Made</i>	- - - -	<i>12th May 2014</i>
<i>Laid before Parliament</i>		<i>14th May 2014</i>
<i>Coming into force</i>		<i>16th June 2014</i>

THE UNIVERSAL CREDIT (TRANSITIONAL PROVISIONS) REGULATIONS 2014

PART 1

INTRODUCTORY

1. Citation and commencement
2. Interpretation
3. Revocation and saving of the Universal Credit (Transitional Provisions) Regulations 2013

PART 2

TRANSITION TO UNIVERSAL CREDIT

CHAPTER 1

ENTITLEMENT TO CLAIM UNIVERSAL CREDIT

4. Secretary of State discretion to determine that claims for universal credit may not be made
- 4A. Restriction on claims for universal credit by persons entitled to a severe disability premium

CHAPTER 2

ENTITLEMENT TO OTHER BENEFITS

5. Exclusion of entitlement to certain benefits
- 5A. Entitlement to universal credit and housing benefit: universal credit work allowance

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6. Exclusion of claims for certain existing benefits
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- 8A Transitional housing payment
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9. Treatment of ongoing entitlement to certain benefits: benefit cap
10. Treatment of overpayments
- 10A Arrears of benefit disregarded as capital
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- 10C Compensatory payment disregarded as capital
11. Ongoing awards of tax credits
12. Modification of tax credits legislation: overpayments and penalties
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- 20A Transition from jobseeker's allowance following an extended period of sickness
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23. Transition from other incapacity benefits: assessment under the 2010 Regulations
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25. Transition from other incapacity benefits: supplementary
26. Other claimants with incapacity for work: credits only cases where claimant is approaching pensionable age
27. Other claimants with incapacity for work: credits only cases
28. Meaning of "qualifying young person"
29. Support for housing costs
30. Sanctions: transition from old style ESA
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33. Escalation of sanctions: transition from old style JSA
34. Sanctions: temporary return to certain existing benefits
35. Loss of benefit penalties: transition from existing benefits other than tax credits
36. Loss of benefit penalties: reduction of universal credit

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PART 3

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- 42. Evidence for non-consensual conception where claimant previously had an award of child tax credit
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- 45. Extension of the deadline day
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- 50. Secretary of State to determine whether transitional protection applies
- 51. The transitional capital disregard
- 52. The transitional element
- 53. The transitional element - total legacy amount
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- 55. The transitional element – initial amount and adjustment where other elements increase

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- 56. Circumstances in which transitional protection ceases
- 57. Application of transitional protection to a subsequent award

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SCHEDULE 1 — MODIFICATION OF TAX CREDITS LEGISLATION
(FINALISATION OF TAX CREDITS)

1. Modifications to the Tax Credits Act 2002
2. In section 7 (income test)— (a) in subsection (3), before...
3. In section 17 (final notice)— (a) in subsection (1)—
4. In section 18 (decisions after final notice)—
5. In section 19 (power to enquire)— (a) in subsection (1)(a)...
6. In section 20 (decisions on discovery)— (a) in subsection (1),...
7. In section 21 (decisions subject to official error), for “18(1),...
8. In section 23 (notice of decisions)— (a) in subsection (1),...
9. In section 30(1) (underpayments), before “tax year” in each place...
10. In section 38 (appeals)— (a) in subsection (1)(b), before “tax...
11. Modifications to the Tax Credits (Definition and Calculation of Income) Regulations 2002
12. In regulation 2(2) (interpretation), after the definition of “the Macfarlane...
13. In regulation 3 (calculation of income of claimant)—
14. In regulation 4 (employment income)— (a) in paragraph (1)(a), before...
15. In regulation 5 (pension income)— (a) in paragraph (1), after...
16. In regulation 6 (trading income)— (a) re-number the existing regulation...
17. In regulation 7 (social security income)— (a) in paragraph (1),...
18. In regulation 8 (student income), after “in relation to a...
19. In regulation 10 (investment income)— (a) in paragraph (1), after...
20. In regulation 11(1) (property income)— (a) omit “annual”;
21. In regulation 12(1) (foreign income), before “year” insert “part tax”....
22. In regulation 13 (notional income), after “means income” insert “received...
23. In regulation 18 (miscellaneous income), after “means income” insert “received...
24. Modifications to the Tax Credits (Income Thresholds and Determination of Rates) Regulations 2002
25. In regulation 2 (interpretation)— (a) after the definition of “the...
26. In regulation 7(3) (determination of rate of working tax credit)—...
27. In regulation 8(3) (determination of rate of child tax credit)—...
28. Modifications to the Tax Credits (Claims and Notifications) Regulations 2002
29. In regulation 4 (interpretation), omit paragraph (b).
30. Omit regulation 11 (circumstances in which claims to be treated...
31. Omit regulation 12 (further circumstances in which claims to be...
32. In regulation 13 (circumstances in which claims made by one...
33. In regulation 15(1)(c) (persons who die after making a claim)—...
34. In regulation 33 (dates to be specified in notices)—
35. Modification to the Tax Credits (Payment by the Commissioners) Regulations 2002
36. Omit regulation 7 (prescribed circumstances for certain purposes).
37. Modification to the Tax Credits (Residence) Regulations 2003
38. In regulation 3(5)(a) (circumstances in which a person is treated...

SCHEDULE 2 — Claimants previously entitled to a severe disability premium

1. This Schedule applies to an award of universal credit where...
2. The first condition is that the award was not made...

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3. The second condition is that the claimant—
4. Where this Schedule applies (subject to paragraphs 6 and 7),...
5. The amount of the transitional SDP element in the first...
6. In respect of the second and each subsequent assessment period,...
7. The award is not to include a transitional SDP element...
8. In this Schedule— “LCWRA element” has the meaning in the...

Explanatory Note

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