
STATUTORY INSTRUMENTS

2014 No. 1230

The Universal Credit (Transitional Provisions) Regulations 2014

PART 1

INTRODUCTORY

Citation and commencement

1.—(1) These Regulations may be cited as the Universal Credit (Transitional Provisions) Regulations 2014.

(2) These Regulations come into force on 16th June 2014.

Interpretation

2.—(1) In these Regulations—

“the 2002 Act” means the Tax Credits Act 2002 ^{M1};

“the 2007 Act” means the Welfare Reform Act 2007 ^{M2};

“the Act” means the Welfare Reform Act 2012;

[^{F1}“the 2006 (SPC) Regulations” means the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006;]

“assessment period” has the same meaning as in the Universal Credit Regulations ^{M3};

[^{F2}“childcare costs element” has the meaning in the Universal Credit Regulations;]

“the Claims and Payments Regulations” means the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013 ^{M4};

“contributory employment and support allowance” means a contributory allowance under Part 1 of the 2007 Act ^{M5} as that Part has effect apart from the amendments made by Schedule 3, and Part 1 of Schedule 14, to the Act that remove references to an income-related allowance;

[^{F2}“deadline day” has the meaning in regulation 44;]

[^{F1}“the Decisions and Appeals Regulations” means the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Decisions and Appeals) Regulations 2013;]

[^{F2}“earned income” has the meaning in Chapter 2 of Part 6 of the Universal Credit Regulations;]

^{F3}
...

“existing benefit” means income-based jobseeker's allowance, income-related employment and support allowance, income support, housing benefit and child tax credit and working tax credit under the 2002 Act, but see also [^{F4}paragraph (3) and] regulation 25(2);

[^{F2}“final deadline” has the meaning in regulation 46;]

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“First-tier Tribunal” has the same meaning as in the Social Security Act 1998 ^{M6};

[^{F2}“HMRC” means Her Majesty’s Revenue and Customs;]

“housing benefit” means housing benefit under section 130 of the Social Security Contributions and Benefits Act 1992 ^{M7};

“income-based jobseeker’s allowance” has the same meaning as in the Jobseekers Act 1995 ^{M8};

“income-related employment and support allowance” means an income-related allowance under Part 1 of the 2007 Act ^{M9};

“income support” means income support under section 124 of the Social Security Contributions and Benefits Act 1992;

[^{F2}“indicative UC amount” has the meaning in regulation 54;]

“joint-claim jobseeker’s allowance” means old style JSA, entitlement to which arises by virtue of section 1(2B) of the Jobseekers Act 1995 ^{M10};

[^{F2}“migration day” has the meaning in regulation 49;]

[^{F2}“migration notice” has the meaning in regulation 44;]

“new claimant partner” has the meaning given in regulation 7;

“new style ESA” means an allowance under Part 1 of the 2007 Act as amended by the amendments made by Schedule 3, and Part 1 of Schedule 14, to the Act that remove references to an income-related allowance;

“new style JSA” means an allowance under the Jobseekers Act 1995 as amended by the amendments made by Part 1 of Schedule 14 to the Act that remove references to an income-based allowance;

[^{F2}“notified person” has the meaning in regulation 44;]

“old style ESA” means an employment and support allowance under Part 1 of the 2007 Act as that Part has effect apart from the amendments made by Schedule 3, and Part 1 of Schedule 14, to the Act that remove references to an income-related allowance;

“old style JSA” means a jobseeker’s allowance under the Jobseekers Act 1995 as that Act has effect apart from the amendments made by Part 1 of Schedule 14 to the Act that remove references to an income-based allowance;

“partner” in relation to a person (“A”) means a person who forms part of a couple with A ^{M11};

[^{F1}“qualifying age for state pension credit” has the meaning given by section 1(6) of the State Pension Credit Act 2002;]

[^{F2}“qualifying claim” has the meaning in regulation 48;]

[^{F5}“qualifying young person” has the same meaning as in the Universal Credit Regulations, but see also regulation 28;]

[^{F6}“severe disability premium” means the premium in relation to an employment and support allowance under paragraph 6 of Schedule 4 to the Employment and Support Allowance Regulations 2008 or, as the case may be, the corresponding premium in relation to income support, old style JSA or housing benefit;]

[^{F7}“specified accommodation” means accommodation to which one or more of sub-paragraphs (2) to (5) of paragraph 3A of Schedule 1 to the Universal Credit Regulations applies;]

[^{F1}“state pension credit” means state pension credit under the State Pension Credit Act 2002;]

“tax credit” (including “child tax credit” and “working tax credit”), “tax credits” and “tax year” have the same meanings as in the 2002 Act ^{M12};

[^{F8}“temporary accommodation” means accommodation which falls within Case 1 or Case 2 under paragraph 3B of Schedule 1 to the Universal Credit Regulations;]

[^{F2}“total legacy amount” has the meaning in regulation 53;]

[^{F2}“transitional capital disregard” has the meaning in regulation 51;]

[^{F2}“transitional element” has the meaning in regulation 52;]

“the Universal Credit Regulations” means the Universal Credit Regulations 2013 ^{M13};

“Upper Tribunal” has the same meaning as in the Social Security Act 1998.

(2) For the purposes of these Regulations—

- (a) the date on which a claim for universal credit is made is to be determined in accordance with the Claims and Payments Regulations ^{M14};
- (b) where a couple is treated, in accordance with regulation 9(8) of the Claims and Payments Regulations, as having made a claim for universal credit, references to the date on which the claim is treated as made are to the date of formation of the couple;
- (c) where a regulation refers to entitlement to an existing benefit on the date on which a claim for universal credit is made or treated as made, such entitlement is to be taken into account notwithstanding the effect of regulations 5, 7 and 8 or termination of an award of the benefit before that date by virtue of an order made under section 150(3) of the Act ^{M15}.

[^{F9}(3) In these Regulations—

- (a) references to an award of income-based jobseeker’s allowance are to an award of old style JSA where the claimant is, or joint claimants are, entitled to the income-based allowance; and
- (b) references to an award of income-related employment and support allowance are to an award of old style ESA where the claimant is entitled to the income-related allowance.

(4) In regulation 46 (termination of existing benefits if no claim before the deadline) and regulation 47 (notified persons who claim as a different benefit unit) “terminate” in relation to an award of income-based jobseeker’s allowance or income-related employment and support allowance means treating that award as if the following provisions had come into force (including where a saving provision has ceased to apply) in relation to that award—

- (a) section 33(1)(a) and (b) and (2) of the Act (abolition of benefits);
- (b) paragraphs 22 to 26 of Schedule 3 to the Act (abolition of benefits: consequential amendments) and section 33(3) of the Act in so far as it relates to those paragraphs; and
- (c) the repeals in Part 1 of Schedule 14 to the Act (abolition of benefits superseded by universal credit) that come into force if a claim is made for universal credit.]

Textual Amendments

- F1** Words in reg. 2(1) inserted (25.11.2020) by [The Universal Credit \(Persons who have attained state pension credit qualifying age\) \(Amendment\) Regulations 2020 \(S.I. 2020/655\)](#), regs. 1(2), **6(2)**
- F2** Words in reg. 2(1) inserted (24.7.2019) by [The Universal Credit \(Managed Migration Pilot and Miscellaneous Amendments\) Regulations 2019 \(S.I. 2019/1152\)](#), regs. 1(2), **3(2)(a)(i)**
- F3** Words in reg. 2(1) omitted (3.11.2014) by [The Universal Credit \(Transitional Provisions\) \(Amendment\) Regulations 2014 \(S.I. 2014/1626\)](#), **reg. 1(3)**, 3(1)(a)
- F4** Words in reg. 2(1) inserted (24.7.2019) by [The Universal Credit \(Managed Migration Pilot and Miscellaneous Amendments\) Regulations 2019 \(S.I. 2019/1152\)](#), regs. 1(2), **3(2)(a)(ii)**
- F5** 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, **3(2)**

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- F6** Words in reg. 2(1) inserted (16.1.2019) by [The Universal Credit \(Transitional Provisions\) \(SDP Gateway\) Amendment Regulations 2019 \(S.I. 2019/10\)](#), regs. 1, **2(2)**
- F7** Words in reg. 2(1) inserted (3.11.2014) by [The Universal Credit \(Transitional Provisions\) \(Amendment\) Regulations 2014 \(S.I. 2014/1626\)](#), **reg. 1(3)**, 3(1)(b)
- F8** Words in reg. 2(1) inserted (11.4.2018) by [The Universal Credit \(Miscellaneous Amendments, Saving and Transitional Provision\) Regulations 2018 \(S.I. 2018/65\)](#), regs. 1(4), **6(3)** (with reg. 8(2)(3))
- F9** Reg. 2(3)(4) inserted (24.7.2019) by [The Universal Credit \(Managed Migration Pilot and Miscellaneous Amendments\) Regulations 2019 \(S.I. 2019/1152\)](#), regs. 1(2), **3(2)(b)**

Marginal Citations

- M1** [2002 c.21](#).
- M2** [2007 c.5](#).
- M3** See regulation 21.
- M4** [S.I. 2013/380](#), amended by [S.I. 2013/443](#).
- M5** See section 1(7).
- M6** [1998 c.14](#).
- M7** [1992 c.4](#).
- M8** See section 1(4).
- M9** See section 1(7).
- M10** Subsection (2B) was inserted by the [Welfare Reform and Pensions Act 1999 \(c.30\)](#), **Schedule 7, paragraph 2** and repealed by the [Welfare Reform Act 2012](#) (“the Act”), Schedule 14, Part 1.
- M11** See section 39 of the Act for the meaning of “couple”.
- M12** See sections 1(1) and (2), 48(1) and 67.
- M13** [S.I. 2013/376](#).
- M14** See regulation 10.
- M15** See, in particular, [S.I. 2013/983 \(C.41\)](#).

Revocation and saving of the Universal Credit (Transitional Provisions) Regulations 2013

3.—(1) The Universal Credit (Transitional Provisions) Regulations 2013 ^{M16} (“the 2013 Regulations”) are revoked, subject to the savings in paragraphs (2) to (4).

(2) Chapters 2 and 3 of Part 2 (Pathfinder Group and treatment of invalid claims) of the 2013 Regulations continue to have effect in relation to a claim for universal credit—

- (a) which was made before the date on which these Regulations come into force (“the commencement date”); and
- (b) in respect of which no payment has been made to the claimant before the commencement date.

(3) Regulation 19 of the 2013 Regulations (advance payments of universal credit) continues to have effect in relation to an advance payment which was made in accordance with that regulation before the commencement date and regulation 17 of these Regulations does not apply to such a payment.

(4) Any other provision of the 2013 Regulations continues to have effect in so far as is necessary to give full effect to paragraphs (2) and (3).

Marginal Citations

- M16** [S.I. 2013/386](#), amended by [S.I. 2013/591](#), 803 and 2070.

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