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## STATUTORY INSTRUMENTS

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# 2014 No. 1230

## The Universal Credit (Transitional Provisions) Regulations 2014

### PART 2

#### TRANSITION TO UNIVERSAL CREDIT

##### CHAPTER 2

##### ENTITLEMENT TO OTHER BENEFITS

#### Treatment of overpayments

- 10.**—(1) This regulation applies where—
- (a) an award of universal credit is made to a claimant who was previously entitled to an existing benefit other than a tax credit or a joint-claim jobseeker's allowance; and
  - (b) a payment of the existing benefit is made which includes payment (“the overpayment”) in respect of a period—
    - (i) during which the claimant is not entitled to that benefit (including non-entitlement which arises from termination of an award by virtue of an order made under section 150(3) of the Act or regulation 7, 8, or 14); and
    - (ii) which falls within an assessment period for universal credit.
- (2) Where this regulation applies, for the purposes of calculating the amount of an award of universal credit in respect of an assessment period—
- (a) regulation 66 of the Universal Credit Regulations (what is included in unearned income?) applies as if the overpayment which was made in respect of that assessment period were added to the descriptions of unearned income in paragraph (1)(b) of that regulation; and
  - (b) regulation 73 of the Universal Credit Regulations (unearned income calculated monthly) does not apply to the overpayment.
- (3) In so far as any overpayment is taken into account in calculating the amount of an award of universal credit in accordance with this regulation, that payment may not be recovered as an overpayment under—
- (a) the Social Security (Payments on account, Overpayments and Recovery) Regulations 1988<sup>M1</sup>;
  - (b) the Housing Benefit Regulations 2006<sup>M2</sup>; or
  - (c) [<sup>F1</sup>the 2006 (SPC) Regulations].

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#### Textual Amendments

- F1** Words in [reg. 10\(3\)\(c\)](#) substituted (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(6)**

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**Changes to legislation:** *There are currently no known outstanding effects for the The Universal Credit (Transitional Provisions) Regulations 2014, Section 10. (See end of Document for details)*

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**Marginal Citations**

**M1** [S.I. 1988/664](#).

**M2** See regulations 99 to 107, as amended.

**Changes to legislation:**

There are currently no known outstanding effects for the The Universal Credit (Transitional Provisions) Regulations 2014, Section 10.