
STATUTORY INSTRUMENTS

2014 No. 1230

The Universal Credit (Transitional Provisions) Regulations 2014

PART 2

TRANSITION TO UNIVERSAL CREDIT

CHAPTER 3

EFFECT OF TRANSITION TO UNIVERSAL CREDIT

Escalation of sanctions: transition from old style ESA

31.—(1) This regulation applies where an award of universal credit is made to a claimant who was at any time previously entitled to old style ESA.

(2) Where this regulation applies, for the purposes of determining the reduction period under regulation 104 of the Universal Credit Regulations (low-level sanction) in relation to a sanctionable failure by the claimant, other than a failure which is treated as sanctionable by virtue of regulation 30—

- (a) a reduction of universal credit in accordance with regulation 30; and
- (b) any reduction of old style ESA under the Employment and Support Allowance Regulations 2008 (“the 2008 Regulations”) which did not result in a reduction under regulation 30,

is, subject to paragraph (3), to be treated as arising from a sanctionable failure for which the reduction period which applies is the number of days which is equivalent to the length of the fixed period which applied under regulation 63 of the 2008 Regulations.

(3) In determining a reduction period under regulation 104 of the Universal Credit Regulations in accordance with paragraph (2), no account is to be taken of—

- (a) a reduction of universal credit in accordance with regulation 30 if, at any time after that reduction, the claimant was entitled to an existing benefit;
- (b) a reduction of old style ESA under the 2008 Regulations if, at any time after that reduction, the claimant was entitled to universal credit, new style ESA or new style JSA, and was subsequently entitled to an existing benefit.

Changes to legislation:

There are currently no known outstanding effects for the The Universal Credit (Transitional Provisions) Regulations 2014, Section 31.