
STATUTORY INSTRUMENTS

2014 No. 1626

The Universal Credit (Transitional Provisions) (Amendment) Regulations 2014

Amendments relating to loss of tax credits penalties

6.—(1) In regulation 36(1) (loss of benefit penalties: reduction of universal credit) after “Subject to paragraph (6)” insert “ and to regulation 38”.

(2) After regulation 36 insert—

“Loss of benefit penalties: transition from working tax credit

37.—(1) This regulation applies where an award of universal credit is made to a claimant who—

- (a) was previously entitled to working tax credit; and
- (b) is an offender, within the meaning of the 2002 Act⁽¹⁾.

(2) Where this regulation applies, the Social Security (Loss of Benefit) Regulations 2001⁽²⁾ apply as if in regulation 3ZB of those Regulations—

- (a) in paragraph (1) at the beginning there were inserted “Subject to regulation 38 of the Universal Credit (Transitional Provisions) Regulations 2014,”;
- (b) “disqualification period” includes a disqualification period within the meaning of the 2002 Act⁽³⁾;
- (c) “offender” includes an offender within the meaning of the 2002 Act; and
- (d) “offender’s family member” includes a person who is a member of the family (within the meaning of section 137(1) of the Social Security Contributions and Benefits Act 1992⁽⁴⁾) of a person who is an offender within the meaning of the 2002 Act.

Loss of benefit penalties: maximum total reduction

38. Where regulations 35 and 37 both apply to a claimant, the total amount of a reduction of universal credit in respect of any assessment period under—

- (a) regulation 36; and
- (b) regulation 3ZB of the Social Security (Loss of Benefit) Regulations 2001, must not exceed the amount of the standard allowance⁽⁵⁾ which is applicable to the claimant in respect of that period.”.

(1) See sections 36A and 36C, inserted by section 120 of the Welfare Reform Act 2012 (“the Act”).

(2) S.I. 2001/4022. Regulation 3ZB was inserted by S.I. 2013/385.

(3) See sections 36A(6) and 36C(5).

(4) 1992 c.4. The definition of “family” was amended by paragraph 46 of Schedule 24 to the Civil Partnership Act 2004 (c.33).

(5) See section 9 of the Act.