
STATUTORY INSTRUMENTS

2015 No. 1780

The Universal Credit (Transitional Provisions) (Amendment) Regulations 2015

Amendment of the Universal Credit (Transitional Provisions) Regulations 2014

2.—(1) In the Universal Credit (Transitional Provisions) Regulations 2014⁽¹⁾, regulation 6 (exclusion of claims for certain existing benefits) is amended as follows.

(2) In paragraph (2)—

(a) after sub-paragraph (b) insert—

- “(ba) (i) the conditions in regulation 6(1)(a), (b) and (c) or 6(2)(a), (b) and (c) of the Claims and Payments Regulations⁽²⁾ (claims not required for entitlement to universal credit in certain cases) are met in relation to the person;
- (ii) he or she may be entitled to an award of universal credit without making a claim if the conditions in regulation 6(1)(d) and (e) or, as the case may be, 6(2)(d) and (e) of those Regulations are also met; and
- (iii) either the Secretary of State has no information in relation to the person which may indicate a change of circumstances as referred to in regulation 6(1)(e) or, as the case may be, 6(2)(e) of those Regulations, or the Secretary of State has such information but no decision has been made that the person is entitled to universal credit;”;

(b) after sub-paragraph (c) insert—

- “(ca) the person may be entitled to an award of universal credit in circumstances where, by virtue of regulation 9(6)⁽³⁾, (7) or (10) of the Claims and Payments Regulations (claims for universal credit by members of a couple), it is not a condition of entitlement that he or she makes a claim for it, but no decision has yet been made as to the person’s entitlement;”;

(c) in sub-paragraph (d), omit “or may be entitled to an award of universal credit in circumstances where, by virtue of those Regulations, it is not a condition of entitlement that he or she makes a claim for it”.

(3) In paragraph (3)(b), for “paragraphs (5) to (7)” substitute “paragraphs (5) to (7B)”.

(4) In paragraph (5)(a), after “regulation 6(1A)(c)”, insert “or 6A”⁽⁴⁾.

(5) After paragraph (7), insert—

“(7A) A claimant who is a universal credit claimant by virtue of sub-paragraph (ba) of paragraph (2) (and no other sub-paragraph) is not precluded from—

(1) [S.I. 2014/1230](#), amended by [S.I. 2014/1626](#) and [2887](#) and [2015/339](#), and modified in their application to certain cases by [S.I. 2014/3094 \(C.133\)](#).

(2) This term is defined in [S.I. 2014/1230](#), regulation 2(1). Regulation 6 of the Claims and Payments Regulations was revoked in relation to certain cases by [S.I. 2014/2887](#).

(3) Regulation 9(6) was substituted in relation to certain cases by [S.I. 2014/2887](#).

(4) Regulation 6(1A) of [S.I. 1987/1968](#) was inserted by [S.I. 1997/793](#) and amended by [S.I. 2009/1490](#); regulation 6A was inserted by [S.I. 2000/897](#) and amended by [S.I. 2001/3210](#), [2002/1703](#), [2003/492](#), [2004/959](#) and [2006/832](#).

- (a) making a claim for income support for a period starting on or after the relevant date if first notification of the claimant's intention to make that claim was made, or deemed to be made, for the purposes of regulation 6(1A)(c) or 6A of the 1987 Regulations⁽⁵⁾, during the period starting with the relevant date and ending with 15th November 2015;
 - (b) making a claim for housing benefit for a period starting on or after the relevant date if first notification of the claimant's intention to make that claim was given (within the meaning of regulation 83(5)(d) of the 2006 Regulations⁽⁶⁾ or, as the case may be, regulation 64(6)(d) of the 2006 (SPC) Regulations⁽⁷⁾), during the period starting with the relevant date and ending with 15th November 2015;
 - (c) correcting or completing a claim for housing benefit for a period starting on or after the relevant date, where that claim was defective within the meaning of the 2006 Regulations or the 2006 (SPC) Regulations and was made during the period starting with the relevant date and ending with 15th November 2015.
- (7B) For the purposes of paragraph (7A), the "relevant date" is—
- (a) where the conditions in regulation 6(1)(a), (b) and (c) of the Claims and Payments Regulations are met in relation to the claimant, the day after the claimant's last day of entitlement to universal credit;
 - (b) where the conditions in regulation 6(2)(a), (b) and (c) of the Claims and Payments Regulations are met in relation to the claimant, the first date on which the claimant would have been entitled to universal credit if the claimant had been so entitled."

⁽⁵⁾ S.I. 1987/1968. This term is defined in S.I. 2014/1230, regulation 6(4)(a).

⁽⁶⁾ S.I. 2006/213. This term is defined in S.I. 2014/1230, regulation 6(4)(b). Regulation 83(5)(d) was substituted by S.I. 2008/2299 and amended by S.I. 2013/2070.

⁽⁷⁾ S.I. 2006/214. This term is defined in S.I. 2014/1230, regulation 6(4)(b). Regulation 64(6)(d) was substituted by S.I. 2008/2299.