
STATUTORY INSTRUMENTS

2018 No. 65

**The Universal Credit (Miscellaneous Amendments,
Saving and Transitional Provision) Regulations 2018**

Amendments to the Universal Credit (Transitional Provisions) Regulations 2014

6.—(1) The Universal Credit (Transitional Provisions) Regulations 2014⁽¹⁾ are amended as follows.

(2) In the Table of Contents—

(a) after the entry for regulation 5 insert—

“**5A.** Entitlement to universal credit and housing benefit: universal credit work allowance”;

(b) after the entry for regulation 8 insert—

“**8A.** Transitional housing payment”;

(c) omit the entry for regulation 16A.

(3) In regulation 2(1) (interpretation), after the definition of “specified accommodation” insert—

““temporary accommodation” means accommodation which falls within Case 1 or Case 2 under paragraph 3B of Schedule 1 to the Universal Credit Regulations;”.

(4) In regulation 5 (exclusion of entitlement to certain benefits), in paragraph (2)(a), after “specified accommodation” insert “, temporary accommodation or where regulation 8(2A) applies”.

(5) After regulation 5 (exclusion of entitlement to certain benefits) insert—

“Entitlement to universal credit and housing benefit: universal credit work allowance

5A. Where a claimant has an award of universal credit and, in any assessment period, is also entitled to housing benefit for temporary accommodation and the award of universal credit does not include an amount for housing costs, regulation 22(2) of the Universal Credit Regulations (amount of the work allowance) is to apply in relation to that assessment period as if the award did include an amount for housing costs.”.

(6) In each of the following regulations, after “specified accommodation” insert “or temporary accommodation”—

(a) regulation 6 (exclusion of claims for certain existing benefits), in paragraph (8);

(b) regulation 7 (termination of awards: new claimant partners), in paragraph (5)(a).

(7) In regulation 8 (termination of awards of existing benefits: other claimants)—

(a) in paragraph (2)—

(i) for “Subject to paragraph (3), where” substitute “Where”; and

(ii) omit “, housing benefit”;

(b) after paragraph (2) insert—

(1) [S.I. 2014/1230](#); relevant amending instruments are [S.I. 2014/1626](#) and [2015/1362](#).

- “(2A) Subject to paragraph (3), where this regulation applies, an award of housing benefit to which the claimant is entitled on the day mentioned in paragraph (2)(a) or (b) terminates on the last day of the period of two weeks beginning with the day after that day (whether or not the person is also entitled to an award of income support or a tax credit).”;
- (c) in paragraph (3), after “specified accommodation” insert “or temporary accommodation”.
- (8) After regulation 8 insert—

“Transitional housing payment

- 8A.** Where an award of housing benefit terminates under regulation 8—
- (a) the claimant is to be treated for the purposes of the Housing Benefit Regulations 2006(2) as entitled to universal credit during the period of two weeks mentioned in regulation 8(2A), even if no decision has been made on the claim; and
- (b) if a claim for universal credit is made because the claimant moves to new accommodation occupied as the claimant’s home, then, notwithstanding anything in the Housing Benefit Regulations 2006, housing benefit is to be paid directly to the claimant during the period of two weeks mentioned in regulation 8(2A).”.
- (9) In regulation 11 (ongoing awards of tax credits)—
- (a) at the end of paragraph (2)(c) omit “or”;
- (b) after paragraph (2)(c) insert—
- “(ca) a final notice has been given and the person made a declaration in response to a requirement included in that notice by virtue of section 17(2)(a), (4)(a) or (6)(a), or any combination of those provisions—
- (i) by the date specified on the final notice;
- (ii) if not in accordance with paragraph (i), within 30 days following the date on the notice to the person that payments of tax credit under section 24(4) of the 2002 Act have ceased due to the person’s failure to make the declaration by the date specified in the final notice; or
- (iii) if not in accordance with paragraph (i) or (ii), before 31 January in the tax year following the period to which the final notice relates and, in the opinion of Her Majesty’s Revenue and Customs, the person had good reason for not making the declaration in accordance with paragraph (i) or (ii); or”.
- (10) In regulation 14 (appeals etc. relating to universal credit)—
- (a) in paragraph (2)(b), after “legislative provision” insert “except regulation 8(2A)”;
- (b) in paragraph (3), after “specified accommodation” insert “or temporary accommodation”.
- (11) Omit regulation 16A (waiting days).