
STATUTORY INSTRUMENTS

2020 No. 827

The Universal Credit (Exceptions to the Requirement not to be receiving Education) (Amendment) Regulations 2020

Amendment of the Universal Credit Regulations 2013

2.—(1) In regulation 14 (exceptions to the requirement not to be receiving education) of the Universal Credit Regulations 2013⁽¹⁾—

(a) regulation 14 shall stand as paragraph (1);

(b) for paragraph (1)(b) substitute—

“(b) the person is entitled to attendance allowance, disability living allowance or personal independence payment and it has been determined—

(i) that the person has limited capability for work or limited capability for work and work-related activity on the basis of an assessment under Part 5 of these Regulations⁽²⁾ or Part 4 or 5 of the ESA Regulations⁽³⁾;

(ii) that the person is to be treated as having limited capability for work under Schedule 8⁽⁴⁾ or limited capability for work and work-related activity under Schedule 9;

(iii) that the person is to be treated as having limited capability for work or limited capability for work and work-related activity under regulation 19⁽²⁾ (b) or (4)(b) of the Universal Credit (Transitional Provisions) Regulations 2014⁽⁵⁾,

and that determination was made on or before the date of claim to universal credit, where the person is receiving education on the date the claim is made, or the date on which the person starts receiving education, where the person starts receiving education after the date of claim to universal credit;”;

(c) after paragraph (1)(f) insert—

“(2) Where regulation 9(6)(a) or 9(10) of the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013⁽⁶⁾ (award of universal credit without a claim) applies to a person who is receiving education, paragraph (1)(b) is to be read as if each reference to “date of claim” was a reference to “date of award”.”.

(1) S.I. 2013/376.

(2) Amended by S.I. 2014/597, 2015/1754 and 2016/678.

(3) Part 4 is amended by S.I. 2013/1508, 2014/884 and 2015/437.

(4) Amended by S.I. 2013/630 and 1508.

(5) S.I. 2014/1230, amended by S.I. 2017/204.

(6) S.I. 2013/380, amended by S.I. 2014/287; there is another amending instrument which is not relevant.