
STATUTORY INSTRUMENTS

2013 No. 630

**The Universal Credit (Consequential, Supplementary,
Incidental and Miscellaneous Provisions) Regulations 2013**

PART 3

AMENDMENTS OF SECONDARY LEGISLATION

CHAPTER 1

SOCIAL SECURITY BENEFITS

Amendment of the Housing Benefit Regulations 2006

35.—(1) The Housing Benefit Regulations 2006(1) are amended as follows.

(2) In regulation 2(1) (interpretation)(2)—

(a) for the definition of “contributory employment and support allowance”, substitute—

““contributory employment and support allowance” means an allowance under Part 1 of the Welfare Reform Act as amended by the provisions of Schedule 3, and Part 1 of Schedule 14, to the 2012 Act that remove references to an income-related allowance, and a contributory allowance under Part 1 of the Welfare Reform Act as that Part has effect apart from those provisions;” and

(b) after the definition of “training allowance”, insert—

““universal credit” means universal credit under Part 1 of the 2012 Act;”.

(3) In regulation 19 (persons of a prescribed description)(3), omit “or” after paragraph (2)(a) and after paragraph (2)(c) insert—

“; or

(d) entitled to an award of universal credit”.

(4) In regulation 28(11) (treatment of child care charges)(4), in sub-paragraphs (ba) and (ca), after “Employment and Support Allowance Regulations” insert “or the Employment and Support Allowance Regulations 2013(5)”.

(5) In regulation 40(5A) (calculation of income other than earnings)(6), after “Employment and Support Allowance Regulations” insert “or section 11J of the Welfare Reform Act(7)”.

(1) [S.I. 2006/213](#).

(2) Regulation 2(1) was amended by [S.I. 2013/388](#); there are other amendments that are not relevant to these Regulations.

(3) Regulation 19(2) was amended by [S.I. 2006/718](#) and [2008/1082](#).

(4) Regulation 28(11)(ba) and (ca) were inserted by [S.I. 2008/1082](#).

(5) [S.I. 2013/379](#).

(6) Paragraph (5A) was inserted by [S.I. 2008/1082](#); section 11J was inserted by section 57(2) of the Welfare Reform Act [2012 \(c.5\)](#).

(7) Section 11J was inserted by 57(2) of the Welfare Reform Act [2012 \(c.5\)](#).

(6) In regulation 56(2)(ea) (full-time students to be treated as not liable to make payments)(**8**), after “Employment and Support Allowance Regulations” insert “or the Employment and Support Allowance Regulations 2013”.

(7) In regulation 74 (non-dependant deductions)—

(a) for paragraph (8), substitute—

“(8) No deduction shall be made in calculating the amount of a rent rebate or allowance in respect of a non-dependant aged less than 25 who is—

(a) on income support, an income-based jobseeker’s allowance or an income-related employment and support allowance which does not include an amount under section 4(2)(b) of the Welfare Reform Act (the support component and the work-related activity component); or

(b) entitled to an award of universal credit where the award is calculated on the basis that the non-dependant does not have any earned income.”; and

(b) after paragraph (10) insert—

“(11) For the purposes of paragraph (8), “earned income” has the meaning given in regulation 52 of the Universal Credit Regulations 2013.”.

(8) In regulation 102(4) (method of recovery)(**9**), after “Employment and Support Allowance Regulations” insert “, regulation 39(1)(a) of the Employment and Support Allowance Regulations 2013”.

(9) In Schedule 3 (applicable amounts)—

(a) in Part 5 (the components), in paragraph 21(c)(ii), after “Employment and Support Allowance Regulations” insert “or regulation 7 of the Employment and Support Allowance Regulations 2013”; and

(b) in Part 7 (transitional addition)—

(i) in paragraph 27(1)(b)(i), after “Employment and Support Allowance Regulations” insert “or regulation 26 of the Employment and Support Allowance Regulations 2013, in either case”; and

(ii) in paragraph 29(1)(c), after “Employment and Support Allowance Regulations” insert “or regulation 86 of the Employment and Support Allowance Regulations 2013”.

(10) In Schedule 4 (sums to be disregarded in the calculation of earnings)(**10**), paragraph 10A(6) (a), after “Employment and Support Allowance Regulations” insert “or regulation 39(1)(a), (b) or (c) of the Employment and Support Allowance Regulations 2013”.

(11) In Schedule 5 (sums to be disregarded in the calculation of income other than earnings)(**11**), in paragraph 7, after sub-paragraph (d) insert—

“(e) universal credit”.

(12) In Schedule 6 (capital to be disregarded), in paragraph 9(1), after paragraph (f) insert—

“(g) universal credit.”.

(8) Sub-paragraph (ea) was inserted by [S.I. 2008/1082](#).

(9) Paragraph (4) was amended by [S.I. 2009/2608](#).

(10) Paragraph 10A was inserted by [S.I. 2009/2608](#).

(11) Paragraph 7 was amended by [S.I.2005/2502](#), [2008/698](#) and [2008/1082](#).