

08-22: UC & ESA NS Change to definition of terminally ill

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INTRODUCTION

1. This memo gives guidance on the UC and ESA (Terminal Illness) (Amendment) Regulations 2022¹. These regulations come into force on 4.4.22 and extend to England, Scotland and Wales.

1 UC & ESA (Terminal illness) (Amdt) Regs 2022], [SI 2022 No:260](#)

CHANGES

2. These regulations¹ change the definition of when a person is terminally ill for the purposes of UC and ESA.

Note: Terminal illness is known as end of life in operational instructions and communications.

1 UC & ESA (Terminal illness) (Amdt) Regs 2022

DEFINITION OF TERMINALLY ILL

3. From 4.4.22 terminally ill means that the claimant is suffering from a progressive disease and that death in

consequence of that disease can reasonably be expected within

- 1. 12 months in the case of UC or ESA¹or**
- 2. 6 months in any other case².**

1 UC Regs reg 2, ESA Regs 2013 reg 2;

2 UC, PIP, JSA & ESA (Decisions and Appeals) Regs 2013

ANNOTATIONS

Please note the number of this Memo 08 - 22 against the following ADM paragraphs, A1080, A3072, A5050, B1042, C2028, F5050, G3007, J1020, P2077, U1305, U3020, V8111.

CONTACTS

If you have any queries about this memo, please write to Decision Making and Appeals (DMA) Leeds, 3E zone E, Quarry House, Leeds. Existing arrangements for such referrals should be followed, as set out in – Memo 7/19 Requesting case guidance from DMA Leeds for all benefits.

DMA Leeds: March 2020

The content of the examples in this document (including use of imagery) is for illustrative purposes only.