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STATUTORY INSTRUMENTS

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**2014 No.**

**SOCIAL SECURITY**

**The Universal Credit (Waiting Days) Amendment Regulations  
2014**

*Made* - - - - \*\*\*  
*Laid before Parliament* \*\*\*  
*Coming into force* - - \*\*\*

The Secretary of State for Work and Pensions, in exercise of the powers conferred by sections 6(1)(c) and (3) and 7(3) of, and paragraph 1(1) of Schedule 6 to, the Welfare Reform Act 2012(a), makes the following Regulations:

[In accordance with section 172(1) of the Social Security Administration Act 1992, the Secretary of State has referred the proposals for these Regulations to the Social Security Advisory Committee.]

**Citation and commencement**

1.—(1) These Regulations may be cited as the Universal Credit (Waiting Days) Amendment Regulations 2014 and come into force on 27th April 2015.

**Universal Credit - waiting days**

2.—(1) The Universal Credit Regulations 2013 are amended as follows—

(a) after regulation 19 (restrictions on entitlement – prisoners etc.) insert—

**“Waiting days**

**19A.**—(1) Entitlement to universal credit under a new award does not arise in the first 7 days of the period in respect of which the claim is made if—

- (a) on the first day of that period (“the relevant date”) the claimant, or either of joint claimants, falls within section 22 of the Act (claimants subject to all work-related requirements); and
- (b) none of the exceptions in paragraph (3) applies.

(2) A person who may fall outside section 22 of the Act only because they have limited capability for work is to be taken to fall within that section for the purposes of this regulation.

(3) The exceptions are—

(a) where a new award of universal credit is made—

- (i) to a single claimant as a consequence of a previous award having ended when the claimant ceased to be a member of a couple or to joint claimants as a consequence of two previous awards having ended when the claimants became a couple; or
- (ii) in any other circumstances in which the assessments periods for that award are to begin on the same day of each month as the assessment periods for a previous award (see regulation 21);

(b) where, on the relevant date the claimant (or either of joint claimants)—

- (i) is terminally ill,
- (ii) has recently been a victim of domestic violence (as determined in accordance with regulation 98(2)),
- (iii) is a care leaver,
- (iv) is aged 16 or 17 and without parental support (as determined in accordance with regulation 8(3));
- (v) has been a prisoner within the past month (ending on that date), or
- (vi) has been entitled to a jobseeker's allowance or an employment and support allowance within the past 3 months (ending on that date).

(4) In order to determine whether a single claimant or joint claimants fall within section 22 of the Act for the purposes of this regulation, the definition of weekly earnings in regulation 90(6) is to be read as if the reference to the current assessment period were a reference to the month that would be the first assessment period of the award if paragraph (1) of this regulation did not apply.”.

(b) in regulation 21 (assessment periods) after paragraph (1) insert—

“(1A) Where regulation 19A (waiting days) applies, the first day of entitlement for the purposes of paragraph (1) is the first day after the expiry of the 7 days referred to in paragraph (1) of that regulation.”;

(2) After regulation 16 (persons unable to act) of the Universal Credit (Transitional Provisions) Regulations 2014(a) insert—

#### “Waiting days

**16A.**—(1) This regulation applies where a claimant (or, in the case of joint claimants, either of them)—

- (a) was entitled to old style JSA, old style ESA or income support at any time during the period of three months ending with the first day of the period in respect of which the claimant makes a claim for universal credit and ceased to be so entitled on starting paid work; or
- (b) does not fall within sub-paragraph (a) and was entitled to an existing benefit at any time during the period of one month ending on that day.

(2) Where this regulation applies, regulation 19A(3)(b) of the Universal Credit Regulations (waiting days) applies with the following modifications—

- (a) at the end of paragraph (v) omit “or”;
- (b) in paragraph (vi) for “.” substitute “; or”; and
- (c) after paragraph (vi) insert—

“(vii) was entitled to a benefit mentioned in paragraph (1)(a) of regulation 16A of the Universal Credit (Transitional Provisions) Regulations 2014 within the past 3 months (ending on the relevant date) and ceased to be so entitled on starting paid work, or was entitled to a benefit mentioned in paragraph (1)(b) of that regulation within the past month (ending on that date).”.

Signed by authority of the Secretary of State for Work and Pensions

Date

*Name*  
Parliamentary Under Secretary of State  
Department for Work and Pensions

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*