

Housing Benefit and Council Tax Benefit Circular

Department for Work and Pensions
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HB/CTB A8/2013

ADJUDICATION AND OPERATIONS CIRCULAR

WHO SHOULD READ	All Housing Benefit (HB) and Council Tax Benefit (CTB) staff
ACTION	For information
SUBJECT	The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous) Regulations 2013

Guidance Manual

The information in this circular does affect the content of the HB/CTB Guidance Manual. Please annotate this circular number against: Chapter A5 paragraphs 5.504, 5.650 and 5.651; Chapter BP1 paragraph P1.230; Chapter BW1 paragraph W1.230; Chapter BW2, Annex B paragraph 4; and Chapter C1 paragraph 1.66.

Queries

If you

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

Introduction

1. The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous) Regulations 2013 (SI 2013/630) that were laid before Parliament on 18 March 2013, contained provisions made to a range of current benefits, including Housing Benefit (HB), to support the introduction of Universal Credit (UC). The relevant provisions in the SI are regulations 35 and 36. These provisions will come into force on 29 April 2013. The amendments made were as follows.

Addition of references to new-style contributory Employment and Support Allowance (ESA(C))

2. The Welfare Reform Act 2012 provides a new legislative basis for the awarded of ESA(C). This means that existing references to ESA(C) needed to be updated to take account of cases which will be awarded ESA(C) under the new legislation. References to the new legislation have been added to references to existing ESA legislation, to ensure that both old and new-style ESA(C) cases are covered.
3. The amendments are to:
 - SI 2006/213: Regulations 2(1); 28(11); 40(5A); 56(2)(ea); 102(4); Schedule 3 paras 21(c)(ii), 27(1)(b)(i) and 29(1)(c); Schedule 4 para 10A(6)(a); Schedule 5 para 7(d); and Schedule 6 para 9(1)
 - SI 2006/214: Regulations 2; 31(11); 83(4); Schedule 4, paras 5(1)(d)(ii), and 5A(6)(a)

References to Universal Credit in income and capital disregard Schedules

4. Amendments have been made to the income and capital disregard Schedules to ensure UC is not taken into account as income or capital.
5. The amendments are to:
 - SI 2006/213: Schedule 5 para 7(d); and Schedule 6 para 9(1).
 - SI 2006/214: Schedule 6 para 21(2).

Treatment of non-dependants on Universal Credit

6. Ministers have decided that non-dependants who are:
 - aged under 25; and

- entitled to UC; and
- have no earned income

should not attract a non-dependent deduction.

7. Amendments are made to:

- SI 2006/213: Regulation 74.
- SI 2006/214: Regulation 55.

Persons of a prescribed description

8. Amendments have been made to ensure that someone getting UC cannot be treated as a “young person” and therefore part of the HB assessment unit.

9. Amendments are made to:

- SI 2006/213: Regulation 19.
- SI 2006/214: Regulation 19.