

15-21: The Universal Credit (Coronavirus) (Restoration of the Minimum Income Floor) Regulations 2021

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INTRODUCTION

[\[See Memo ADM 04/20\]](#)

1. Regulations gave the Secretary of State discretion to apply a number of measures in relation to the Minimum Income Floor (MIF) for self-employed claimants as a consequence of the outbreak of Coronavirus disease¹. These measures are due to end on 31.7.21.

1 [SS \(Coronavirus\) \(Further Measures\) Regs](#)

2. This Memo gives guidance on the procedures to be followed as a result of the ending of the temporary suspension of the MIF, Gainful Self-Employment (GSE) Tests and paused start-up periods introduced by the [Universal Credit \(Coronavirus\) \(Restoration of Minimum Income Floor\) Regulations 2021 \(SI 2021 No 807\)](#), (UC (C) (RMIF) Regs. The Regulations come into force on 31.7.21¹.

1 UC (C) (RMIF) Regs, reg. 1

RESTORATION OF THE MIF

3. With the exceptions given in paragraphs 1(c) and (d) of regulation 2¹ DMs should continue to follow the guidance in [Memo ADM 4/20](#) up to and including 31.7.21.

1 [SS \(Coronavirus\) \(Further Measures\) Regs](#), reg 2(1)

4. Where the MIF easement is being applied to a claimant on the coming into force of these regulations the DM must, subject to paragraph 5, cease to apply that easement from the assessment period immediately after the assessment period in which the following conditions are met¹–

1 UC (C) (RMIF) Regs, reg 2(2)

1. the Secretary of State has determined that the claimant continues to be in gainful self-employment¹; and

1 UC (C) (RMIF) Regs, reg 2(2)(a)

2. if the claimant was in a start-up period on 13.3.20, the same number of complete months of that period that remained on that date have elapsed since the determination in sub-paragraph (4.1)¹.

1 UC (C) (RMIF) Regs, reg 2(2)(b)

5. The Secretary of State may continue to apply the MIF easement after the assessment period in which the conditions mentioned in paragraph 4 are met, but only if it appears that the trade, profession or vocation carried on by the claimant remains adversely affected by the outbreak of coronavirus, and not for more than two consecutive assessment periods on a single occasion and not for more than six assessment periods in total¹.

1 UC (C) (RMIF) Regs, reg 3

Example

Derek **owns** a company specialising in arranging school visits to European countries. The DM agrees to continue to apply the easement.

6. The Secretary of State may, if satisfied that economic conditions have sufficiently improved, determine that the MIF easement is no longer to apply to any claimant¹.

1 UC (C) (RMIF) Regs, reg 4

Example

Lorna is a self-employed hairdresser. The DM determines that the easement is no longer applied.

7. The application of the MIF easement for a specific period in relation to a particular claimant by virtue of paragraph 4.1 or 5 is not to be affected by the expiry of this regulation or by a determination of the Secretary of State under paragraph 6¹.

1 UC (C) (RMIF) Regs, reg 5

Note: References in this Memo to the MIF easement are to the individual threshold or the couple threshold explained in [ADM H4070](#) being treated by the Secretary of State as if it were a lesser amount (including zero) in accordance with paragraph 6 of [Memo ADM 4/20](#).

ANNOTATIONS

Please annotate the number of this memo (ADM Memo 15-21) against the following ADM paragraphs and memos.

[H4020 \(Main Heading\)](#), [H4060 \(Main Heading\)](#) & [H4100 \(Main Heading\)](#); [Memo ADM 4/20](#)

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: September 2021

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