

The Coronavirus (Rights and Support) Act (Social Welfare) Regulations 2021

The Secretary of State, in exercise of the powers conferred by section 37 of the Coronavirus (Rights and Support) Act 2021 makes the following Regulations:

Citation and commencement

1.—These Regulations may be cited as the Coronavirus (Rights and Support) Act (Social Welfare) Regulations 2021.

2.— These Regulations come into force on [DATE].

Universal Credit Assessment Periods

3.— Regulation 21 of the Universal Credit Regulations 2013 (S.I. 2013/376) is temporarily amended as follows for the duration of the coronavirus response:

“21. Assessment periods

(1) Save where paragraph (1A) below applies, an assessment period is a period of one month beginning with the first date of entitlement after the first payment to the claimant(s), and each subsequent period of one month during which entitlement subsists.

(1A)

(a) This paragraph applies in respect of new claims for Universal Credit.

(b) Where this paragraph applies the first assessment period is to be as short as reasonably practicable, and in any event no more than one week from the date of claim.

(c) This paragraph does not prevent or limit the power to make payments on account of benefit. “

Recovery of advance payments of Universal Credit

4.— Regulation 10 of the Social Security (Payments on Account of Benefit) Regulations 2013 (S.I. 2013/383) is temporarily amended to read as follows for the duration of the coronavirus response:

“10. Bringing payments on account of benefit into account

(1) Where it is practicable to do so, a payment on account of benefit—

(a) which was made in anticipation of an award of benefit, is to be offset by the Secretary of State against the sum payable to A under the award of benefit on account of which it was made;

(b) whether or not made in anticipation of an award, which is not offset under paragraph (a), is to be deducted by the Secretary of State from—

(i) the sum payable to A under the award of benefit on account of which it was made; or

(ii) any sum payable under any subsequent award of that benefit to A.

(2) It is not practicable to bring a payment on account of benefit into account where such payment on account was made after 1st January 2020.”

5.— Regulation 11(2) the Social Security (Overpayments and Recovery) Regulations 2013 (S.I. 2013/384) is temporarily amended as follows for the duration of the coronavirus response:

“(2) Subject to paragraphs (5) to (9), regulation 10 is to apply to the amount of universal credit to which the liable person is presently entitled to the extent that there may be recovered in any one assessment period—

- (a) in a case to which paragraph (3) applies, an amount equivalent to not more than 40 per cent. of the appropriate universal credit standard allowance;
- (b) in a case to which paragraph (4) applies but paragraph (3) does not apply, an amount equivalent to not more than 25 per cent. of that allowance;
- (c) in respect of payment on account of benefit, an amount equivalent to 0 per cent of that allowance; and
- (d) in any other case, an amount equivalent to not more than 15 per cent. of that allowance.”

Standard allowance of legacy benefits

6.— The Social Security (Coronavirus) (Further Measures) Regulations 2020 (S.I. 2020/371) are to be temporarily amended as follows for the duration of the coronavirus response:

Regulation 3 – Universal Credit standard allowance modification

3. (2) This regulation takes effect in relation to each award of universal credit in the first assessment period that ends on or after 6th April 2020.

Regulation 3A – Income Support

3A. (1) Regulations 17 and 18 and para. 1 of Schedule 2 of the Income Support (General) Regulations (S.I. 1987/1967), as amended by article 21 of, and Schedule 2 to, the Social Security Benefits Up-rating Order 2020 ("the 2020 up-rating order") are to be read as if the following amounts were substituted for the amounts of the weekly applicable amount as specified in Column 2 ('amount'), adding in each instance an additional £20 so that:

- a) £58.90 is to be substituted for £78.90
- b) £74.35 is to be substituted for £94.35
- c) £89.00 is to be substituted for £109.00
- d) £116.80 is to be substituted for £126.80

(2) This regulation takes effect in relation to each award of income support on or after 6th April 2020.

Regulation 3B – Income-based Jobseeker's Allowance

3B. (1) Regulations 83, 84(1), 86A and 86B, and para. 1 of Schedule 1 of the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207), as amended by article 27 of, and Schedules 8, 9 and 10 to, the Social Security Benefits Up-rating Order 2020 ("the 2020 up-rating order") are to be read as if the following amounts were substituted for the amounts of the weekly applicable amount as specified in Column 2 ('amount'), adding in each instance an additional £20 so that:

- a) £58.90 is to be substituted for £78.90

- b) £74.35 is to be substituted for £94.35
- c) £89.00 is to be substituted for £109.00
- d) £116.80 is to be substituted for £126.80

(2) This regulation takes effect in relation to each award of income support on or after 6th April 2020.

Regulation 3C – Income-related Employment and Support Allowance

3C. (1) Regulations 67 and 68, and para. 1 of Schedule 4 of the Employment and Support Allowance Regulations 2008 (S.I. 2008/794), as amended by articles 31 and 32 of, and Schedules 11 and 12 to, the Social Security Benefits Up-rating Order 2020 ("the 2020 up-rating order") are to be read as if the following amounts were substituted for the amounts of the weekly applicable amount as specified in Column 2 ('amount'), adding in each instance an additional £20 so that:

- a) £58.90 is to be substituted for £78.90
- b) £74.35 is to be substituted for £94.35
- c) £89.00 is to be substituted for £109.00
- d) £116.80 is to be substituted for £126.80

(2) This regulation takes effect in relation to each award of income support on or after 6th April 2020.

Benefit cap

7.— (1) Regulation 80A of the Universal Credit Regulations 2013 (S.I. 2013/376) is temporarily amended as follows for the duration of the coronavirus response:

“(1) The relevant amount is determined by dividing the applicable annual limit by 12.

(2) The applicable annual limit is—

(a) £20,000 for a single claimant resident in Greater London who is not responsible for a child or qualifying young person;

(b) £28,000 for—

(i) joint claimants where either joint claimant is resident in Greater London;

(ii) a single claimant resident in Greater London who is responsible for a child or qualifying young person;

(c) £17,000 for a single claimant not resident in Greater London who is not responsible for a child or qualifying young person;

(d) £25,000 for—

(i) joint claimants not resident in Greater London;

(ii) a single claimant not resident in Greater London who is responsible for a child or qualifying young person.

(2) Regulation 82 of the Universal Credit Regulations 2013 (S.I. 2013/376) is amended as follows:

“(2) A grace period is a period of 24 consecutive months that begins on the most recent of the following days in respect of which the condition in paragraph (3) is met...”

(3) Regulation 75CA of the Housing Benefit Regulations 2006 (S.I. 2006/213) is amended as follows:

- “ (2) The applicable annual limit is—
- (a) £20,000 in the case of single claimants resident in Greater London,
 - (b) £28,000 in the case of all other claimants for joint claimants where either joint claimant is resident in Greater London;
 - (c) £17,000 in the case of single claimants not resident in Greater London,
 - (d) £25,000 in the case of all other claimants not resident in Greater London.”

(4) Regulation 75E of the Housing Benefit Regulations 2006 is amended as follows:

“75E.— (3) The specified period is, where paragraph (4) applies, the consecutive period of 104 consecutive weeks starting on the day specified in paragraph (5).

(5) These regulations are to come into effect from 6th April 2020.”

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

[Signature]
Minister of State
Department for Work and Pensions

[Date]