



Department for
Communities and
Local Government

Localising support for council tax

Re-stated default scheme universal credit provisions

© Crown copyright, 2012

Copyright in the typographical arrangement rests with the Crown.

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/> or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or e-mail: psi@nationalarchives.gsi.gov.uk.

This document/publication is also available on our website at www.communities.gov.uk

Any enquiries regarding this document/publication should be sent to us at:

Department for Communities and Local Government
Eland House
Bressenden Place
London
SW1E 5DU
Telephone: 030 3444 0000

October 2012

ISBN: 978-1-4098-3678-0

STATUTORY INSTRUMENTS

2009 No. [draft of 23/10/12 – re UC]

SUBJECT

Title

Made - - - - - ***

Laid before Parliament ***

Coming into force - - - - - ***

Applicable amount: persons who are not pensioners who have an award of universal credit

27.—(1) In determining the applicable amount for a week of an applicant—

- (a) who has, or
- (b) who (jointly with his partner) has,

an award of universal credit, the authority must use the calculation or estimate of the maximum amount of the applicant, or the applicant and his partner jointly (as the case may be), subject to the adjustment described in sub-paragraph (2).

(2) The adjustment referred to in sub-paragraph (1) is to multiply the maximum amount by 12 and divide the product by 52.

(3) In this paragraph “maximum amount” means the maximum amount calculated by the Secretary of State in accordance with section 8(2) of the Welfare Reform Act 2012⁽¹⁾.

Calculation of income and capital: persons who are not pensioners who have an award of universal credit

36.— (1) In determining the income of an applicant—

- (a) who has, or
- (b) who (jointly with his partner) has,

an award of universal credit the authority must, subject to the following provisions of this paragraph, use the calculation or estimate of the income of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining the award of universal credit.

(2) The authority must adjust the amount referred to in sub-paragraph (1) to take account of—

- (a) income consisting of the award of universal credit, determined in accordance with sub-paragraph (3);
- (b) any sum to be disregarded under paragraphs [to be confirmed] of Schedule 7 to this scheme (sums to be disregarded in the calculation of earnings: persons who are not pensioners);

(1) 2012 c.5.

- (c) any sum to be disregarded under paragraphs [to be confirmed] of Schedule 8 to this scheme (sums to be disregarded in the calculation of income other than earnings: persons who are not pensioners);
- (d) paragraph 33 (circumstances in which income and capital of non-dependant is to be treated as applicant's), if the authority determines that the provision applies in the applicant's case;
- (e) such further reduction (if any) as the authority thinks fit under section 13A(1)(c) of the 1992 Act (power of billing authority to reduce amount of council tax payable).

(3) The amount for the award of universal credit is to be determined by multiplying the amount of the award by 12 and dividing the product by 52.

(4) Paragraphs 33 (income and capital of non-dependant to be treated as applicant's) and 52 and 53 (disregards from income) apply (so far as relevant) for the purpose of determining any adjustments which fall to be made to the figure for income under sub-paragraph (2).

(5) In determining the capital of an applicant—

- (a) who has, or
- (b) who (jointly with his partner) has,

an award of universal credit, the authority must use the calculation or estimate of the capital of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining that award⁽²⁾.

Treatment of child care charges

57.— (1) This paragraph applies where an applicant (within the meaning in this paragraph) is incurring relevant child care charges and—

- (c) is a lone parent and is engaged in remunerative work;
- (d) is a member of a couple both of whom are engaged in remunerative work; or
- (e) is a member of a couple where one member is engaged in remunerative work and the other—
 - (i) is incapacitated;
 - (ii) is an in-patient in hospital; or
 - (iii) is in prison (whether serving a custodial sentence or remanded in custody awaiting trial or sentence).

...

(18) In this paragraph “applicant” does not include an applicant—

- (a) who has, or
- (b) who (jointly with his partner) has,

an award of universal credit.

(2) See paragraph 22A for the capital limit for eligibility of £16,000.