STATUTORY INSTRUMENTS

2015 No. 89

SOCIAL SECURITY

The Universal Credit (Work-Related Requirements) In Work Pilot Scheme and Amendment Regulations 2015

Made - - - - 29th January 2015

Coming into force in accordance with regulation 1

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 18(5), 22(2), 41(1)(a), (2)(b) and (4) and 42(2) and (3) of the Welfare Reform Act 2012 [F1] ("the Act").

Part 3 of these Regulations is made with a view to ascertaining the extent to which the provision made by that Part is likely to promote people already in paid work remaining in work, or obtaining or being able to obtain, more work or better-paid work.

In accordance with section 43(4) and (6)(b) of the Act, a draft of this instrument has been laid before, and approved by resolution of, each House of Parliament.

In accordance with section 173(1) of the Social Security Administration Act 1992 [F2], the Secretary of State has obtained the agreement of the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it.

F1 2012 c.5.
F2 1992 c.5.

PART 1

INTRODUCTORY

Citation and commencement

1. These Regulations may be cited as the Universal Credit (Work-Related Requirements) In Work Pilot Scheme and Amendment Regulations 2015, and come into force at the end of the period of 21 days beginning with the day on which they are made.

Interpretation

2. In these Regulations—

"the Act" means the Welfare Reform Act 2012;

[[F3]"monthly earnings" has the meaning in regulation 90(6);**]**

"qualifying claimant" has the meaning in regulation 7;

"the Universal Credit Regulations" means the Universal Credit Regulations 2013 [F4]; and

[F5].....

F3 Words in reg. 2 inserted (with effect in accordance with reg. 1(3) of the commencing S.I.) by The Universal Credit and Miscellaneous Amendments Regulations 2015 (S.I. 2015/1754), regs. 1(1), **3(2)**

F4 S.I. 2013/376.

F5 Words in reg. 2 deleted (with effect in accordance with reg. 1(3) of the commencing S.I.) by The Universal Credit and Miscellaneous Amendments Regulations 2015 (S.I. 2015/1754), regs. 1(1), **3(2)**

PART 2

AMENDMENT OF THE UNIVERSAL CREDIT REGULATIONS

New provision for suspension of mandatory work search and work availability requirements on account of earnings

3. For regulation 99(6) of the Universal Credit Regulations substitute—

"(6) This paragraph applies where—

(a) the claimant has weekly earnings (excluding any that are not employed earnings) that are equal to, or more than, £5 plus the applicable amount of the personal allowance in a jobseeker's allowance for a single person aged 25 or over (as set out in Part 1 of Schedule 1 to the Jobseeker's Allowance Regulations 1996 [F6]); or

(b) the claimant is a member of a couple whose combined weekly earnings (excluding any that are not employed earnings) are equal to, or more than, £10 plus the applicable amount of the personal allowance in a jobseeker's allowance for a couple where both members are aged 18 or over (as set out in that Part).

(6A) In paragraph (6) "employed earnings" has the meaning in regulation 55.".

F6 S.I. 1996/207.

PART 3

THE IN WORK PILOT SCHEME

Modifications etc. (not altering text)

C1 Pt. 3 continued (19.2.2018) by The Universal Credit (Work-Related Requirements) In Work Pilot Scheme (Extension) Order 2018 (S.I. 2018/168), arts. 1, **2**

C2 Pt. 3 continued (temp.) (19.2.2019) by The Universal Credit (Work-Related Requirements) In Work Pilot Scheme (Extension) Order 2019 (S.I. 2019/249), arts. 1, **2**

C3 Pt. 3 continued (temp.) (19.2.2020) by The Universal Credit (Work-Related Requirements) In Work Pilot Scheme (Extension) Order 2020 (S.I. 2020/152), arts. 1, **2**

C4 Pt. 3 continued (temp.) (19.2.2021) by The Universal Credit (Work-Related Requirements) In Work Pilot Scheme (Extension) Order 2021 (S.I. 2021/147), arts. 1, **2**

C5 Pt. 3 continued (temp.) (19.2.2022) by The Universal Credit (Work-Related Requirements) In Work Pilot Scheme (Extension) Order 2022 (S.I. 2022/139), arts. 1, **2**

Provision made for piloting purposes

4.—(1) The following provision is made in accordance with section 41 of the Act to test the extent to which the imposition of work-related requirements on persons already in paid work is likely to promote their remaining in work, or obtaining or being able to obtain, more work or better-paid work.

(2) Regulation 99 of the Universal Credit Regulations (which provides for the suspension of work search requirements and work availability requirements where the claimant's **[**F7monthly**]** earnings from employment or, if the claimant is a member of a couple their combined **[**F7monthly**]** earnings from employment, reach a specified amount) is to apply as if paragraph (6) were omitted.

(3) The provision made by paragraph (2) is to apply only in relation to qualifying claimants who have been selected by the Secretary of State in accordance with regulation 5 and notified of that selection in accordance with regulation 6.

(4) The provision made by paragraph (2) ceases to apply to a person who has been selected in accordance with regulation 5 where—

(a) that person ceases to be a qualifying claimant (but see paragraph (5)); or

(b) the Secretary of State determines that that provision should cease to apply because—

(i) the person has moved to live in a different geographical area, or

(ii) the Secretary of State has determined that the testing of particular work-related requirements that have been imposed on that person has concluded.

(5) Where a person has been selected in accordance with regulation 5 and, by reason only of an increase or decrease in their **[**F8monthly**]** earnings (or, if they are a member of a couple, the **[**F8monthly**]** earnings of the other member) the person is no longer a qualifying claimant, paragraph (2) applies again if the person becomes a qualifying claimant again unless, in the intervening period,—

(a) paragraph (2) has ceased to apply for another reason; or

(b) the person has ceased to be entitled to universal credit for a continuous period of 6 months or more.

F7 Word in reg. 4(2) substituted (with effect in accordance with reg. 1(3) of the commencing S.I.) by The Universal Credit and Miscellaneous Amendments Regulations 2015 (S.I. 2015/1754), regs. 1(1), **3(3)**

F8 Word in reg. 4(5) substituted (with effect in accordance with reg. 1(3) of the commencing S.I.) by The Universal Credit and Miscellaneous Amendments Regulations 2015 (S.I. 2015/1754), regs. 1(1), **3(3)**

Selection of participants

5.—(1) A selection for the purpose of regulation 4 is to be made by the Secretary of State on a random sampling basis from persons who, at the time of the selection, are qualifying claimants.

(2) The Secretary of State may make a selection in accordance with paragraph (1) on more than one occasion and, on each occasion, the Secretary of State may limit that selection to qualifying claimants living in a particular geographical area determined by the Secretary of State or to persons who have become qualifying claimants within a period determined by the Secretary of State.