STATUTORY INSTRUMENTS

2026 No. 6

SOCIAL SECURITY

The Universal Credit (Transitional Provisions) (Amendment) Regulations 2026

Made - - - -	*6th January 2026*
Laid before Parliament	*8th January 2026*
Coming into force - -	*29th January 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 42(1) to (3) of, and paragraphs 1(1) and 4(1) and (2) of Schedule 6 to, the Welfare Reform Act 2012(**a**).

In accordance with section 173(1)(b) of the Social Security Administration Act 1992(**b**), the Social Security Advisory Committee has agreed that the proposals in respect of these Regulations should not be referred to it.

In respect of regulation 2(1) and (2), in accordance with section 176(1)(a) of the Social Security Administration Act 1992(**c**), the Secretary of State has consulted with organisations appearing to the Secretary of State to be representative of the authorities concerned.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Universal Credit (Transitional Provisions) (Amendment) Regulations 2026 and come into force on 29th January 2026.

(2) These Regulations extend to England and Wales and Scotland.

Amendment of the Universal Credit (Transitional Provisions) Regulations 2014

2.—(1) The Universal Credit (Transitional Provisions) Regulations 2014(**d**) are amended as follows.

(2) In regulation 44 (migration notice)—

(a) in paragraph (3) for "and (3B)" substitute ", (3B) and (3E)";

(b) after paragraph (3B) insert—

(**a**) 2012 c. 5.
(**b**) 1992 c. 5.
(**c**) Section 176(1)(a) was amended by paragraph 23 of Schedule 9 to the Local Government Finance Act 1992 (c. 14) and was repealed, to the extent that it related to council tax benefit, by Part 1 of Schedule 14 to the Welfare Reform Act 2012.
(**d**) S.I. 2014/1230; relevant amending instruments are S.I. 2019/1152, 2021/4, 2023/1238, 2025/3.

"(3C) Paragraph (3E) applies where—

(a) a migration notice is issued to a claimant who is entitled to an award of income-based jobseeker's allowance, income-related employment and support allowance or income support, and

(b) the deadline day specified in the notice would be after the appointed day for section 33(1)(a), (b) or (c) of the Act to come into force in relation to the award.

(3D) Paragraph (3E) also applies where—

(a) a migration notice is issued to a claimant who is entitled to an award of housing benefit but not to an award of a benefit to which paragraph (3C)(a) refers, and

(b) the deadline day specified in the notice would be after the appointed day for section 33(1)(d) of the Act to come into force in relation to the award.

(3E) Where this paragraph applies, the deadline day may be the appointed day.

(3F) In paragraphs (3C) and (3D), the 'appointed day' in relation to an award is a day specified in an order made under section 150(3) of the Act which is not dependent on the making of a claim for universal credit, ignoring any provision in the order that has the effect that the appointed day does not apply when the day that would otherwise be the appointed day falls within a run-on period.

(3G) In paragraph (3F)—

(a) a reference to a claim for universal credit includes a reference to an award of universal credit made without a claim where an order under section 150(3) of the Act provides for that award to result in the appointment of a day for the coming into force of section 33(1)(a) or (b) in relation to the case of the award(**a**), and

(b) 'run-on period' means the two-week period mentioned in regulation 8(2A) or 46(1)(a) or in regulation 5(1) of the Universal Credit (Managed Migration Pilot and Miscellaneous Amendments) Regulations 2019(**b**).".

(3) After regulation 63 (claimants previously entitled to a severe disability premium) insert—

"Claimants who have lost certain transitional protection because of error

63A.—(1) Paragraph (2) applies to a person who—

(a) made a qualifying claim that did not result in an award because the Secretary of State could not verify their identity,

(b) despite the qualifying claim, continued to receive old style ESA, and

(c) has been awarded universal credit, having made a subsequent claim within a period of one month beginning with the day on which the Secretary of State notified them that they could do so for the purposes of this sub-paragraph.

(2) The Secretary may, for the purposes of regulation 19(1)(a) or 20(1)(a), treat the person as having been entitled to old style ESA on the date on which the subsequent claim was made or treated as made.

(3) Paragraph (4) applies to a person who—

(**a**) Under article 4(9) of the Welfare Reform Act 2012 (Commencement No. 9 and Transitional and Transitory Provisions and Commencement No. 8 and Savings and Transitional Provisions (Amendment)) Order 2013 (S.I. 2013/983) (C. 41), the reference to the case of an award of universal credit made without a claim includes a reference to an old style ESA award or old style JSA award (in either case, as defined in article 2 of that instrument) that exists immediately before the appointed day.

(**b**) S.I. 2019/1152, amended by S.I. 2020/826.

(a) made a qualifying claim that did not result in an award because the Secretary of State could not verify their identity,

(b) despite the qualifying claim, continued to receive an award of income support, income-based jobseeker's allowance, or income-related employment and support allowance, that included a severe disability premium, and

(c) has been awarded universal credit, having made a subsequent claim within a period of one month beginning with the day on which the Secretary of State notified them that they could do so for the purposes of this sub-paragraph.

(4) The Secretary may, for the purposes of paragraph 3(a) of Schedule 2, treat the person as having been entitled to an award of income support, income-based jobseeker's allowance or income-related employment and support allowance that included a severe disability premium within the month immediately preceding the first day of the award of universal credit.

(5) Paragraph (6) applies to a person who—

(a) made a qualifying claim that did not result in an award because the Secretary of State could not verify their identity,

(b) despite the qualifying claim, continued to receive an award of income support, income-based jobseeker's allowance, or income-related employment and support allowance, that included an enhanced disability premium, a disability premium or a disabled child premium, and

(c) has been awarded universal credit, having made a subsequent claim within a period of one month beginning with the day on which the Secretary of State notified them that they could do so for the purposes of this sub-paragraph.

(6) The Secretary may—

(a) for the purposes of paragraph 4(a) of Schedule 3, treat the person as having been entitled to an award of income support, income-based jobseeker's allowance or income-related employment and support allowance that included an enhanced disability premium,

(b) for the purposes of paragraph 4(b) of Schedule 3, treat the person as having been entitled to an award of income support or income-based jobseeker's allowance that included a disability premium, and

(c) for the purposes of paragraph 4(c) of Schedule 3, treat the person as having been entitled to an award of income support or income-based jobseeker's allowance that included a disabled child premium,

within the month immediately preceding the first day of the award of universal credit.".

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

Stephen Timms
Minister of State
Department for Work and Pensions

6th January 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Universal Credit (Transitional Provisions) Regulations 2014 (S.I. 2014/1230) ("Transitional Regulations").

Regulation 2(2) amends regulation 44 of the Transitional Regulations to ensure that recipients of certain social security benefits that are soon to be abolished, and who are issued universal credit migration notices shortly before the abolition, can access the transitional protection for which the Transitional Regulations provide. The amendment does this by aligning the deadline day set out in the migration notice with the day appointed for the abolition of the relevant benefit. Where a person is a recipient of housing benefit and another legacy benefit, the deadline day is to be determined by the appointed day for the other legacy benefit.

Regulation 2(3) inserts a new regulation 63A into the Transitional Regulations. Regulation 63A will overcome the disadvantage experienced by claimants who lose certain transitional protection because they made a claim for universal credit that had been refused on the ground of inadequate identity verification but their legacy benefits were incorrectly continued. The regulation does this by deeming those claimants as having continued to be entitled to various legacy benefits.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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