



# Childcare Payments Act 2014

## 2014 CHAPTER 28

### *Special rules affecting tax credit and universal credit claimants*

#### **33 Power to disqualify universal credit claimants from obtaining top-up payments**

- (1) This section applies in relation to a person (“P”) if—
  - (a) P, or a person who is P's partner, makes a claim (whether jointly or otherwise) that results in universal credit becoming payable for a relevant assessment period (see subsection (2)),
  - (b) the claim is made during an entitlement period for which P or P's partner has made a valid declaration of eligibility,
  - (c) there has not been a change of circumstances in relation to P or P's partner since the beginning of the entitlement period, and
  - (d) P, or a person who is P's partner, makes a declaration of eligibility within the period of 12 months beginning with the day on which the claim was made.
- (2) In subsection (1)(a) “relevant assessment period”, in relation to an entitlement period, means any assessment period (within the meaning of the relevant legislation) that includes the whole or any part of the entitlement period.
- (3) If this section applies in relation to a person, HMRC may give the person a warning notice.
- (4) A warning notice is a notice stating that, if this section or section 32 (power to disqualify tax credit claimants from obtaining top-up payments) applies in relation to the person at any time during the period of 4 years beginning with the day on which the notice is given, HMRC may give the person a disqualification notice (see section 34).
- (5) Regulations may make provision—
  - (a) about what is, or is not, to be regarded as a change of circumstances in relation to a person for the purposes of this section;
  - (b) specifying cases in which something which would otherwise be a change of circumstances is not to be treated as such for the purposes of this section.

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*Changes to legislation: There are currently no known outstanding effects for the Childcare Payments Act 2014, Section 33. (See end of Document for details)*

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- (6) Regulations may amend subsection (1)(d) so as to substitute a different period for the period for the time being specified there.
- (7) In this section “the relevant legislation” means—
- (a) Part 1 of the Welfare Reform Act 2012, or
  - (b) any provision made for Northern Ireland which corresponds to that Part of that Act.

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**Commencement Information**

- I1** S. 33 partly in force at Royal Assent; s. 33 in force for specified purposes at Royal Assent, see s. 75(1)(c)
- I2** S. 33 in force at 14.11.2016 for the purposes of the trial by S.I. 2016/1083, reg. 2(e)
- I3** S. 33 in force at 21.4.2017 in so far as not already in force by S.I. 2017/578, reg. 3(d)

**Changes to legislation:**

There are currently no known outstanding effects for the Childcare Payments Act 2014, Section 33.