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STATUTORY INSTRUMENTS

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**2013 No. 2846**

**The Welfare Reform Act 2012 (Commencement No. 14  
and Transitional and Transitory Provisions) Order 2013**

**Day appointed for the abolition of income-related employment and support allowance and income-based jobseeker's allowance**

[<sup>F1</sup>4.—(1) The day appointed for the coming into force of the amending provisions, in relation to the case of a claim referred to in paragraph (2) and any award that is made in respect of the claim, is the day appointed in accordance with paragraph (3).

(2) The claims referred to are—

(a) a claim for universal credit, an employment and support allowance or a jobseeker's allowance where, on the date on which the claim is made [<sup>F2</sup>or treated as made], the claimant—

(i) resides in one of the No. 5 relevant districts; and

(ii) meets the gateway conditions;

[<sup>F3</sup>(b) a claim for universal credit where—

(i) in the case of a single claimant, the claimant gives incorrect information regarding the claimant residing in a No. 5 relevant district or meeting the gateway conditions and does not reside in such a district or does not meet the gateway conditions on the date on which the claim is made;

(ii) in the case of joint claimants, either or both of the joint claimants gives or give incorrect information regarding his or her (or their) residing in such a district or meeting those conditions and one or both of them does not or do not reside in such a district or does not or do not meet those conditions on the date on which the claim is made; and

(iii) after a decision is made that the single claimant is, or the joint claimants are, entitled to universal credit and one or more payments have been made in respect of the single claimant or the joint claimants, the Secretary of State discovers that incorrect information has been given regarding residence or meeting the gateway conditions;]

[<sup>F4</sup>(c) a claim for an employment and support allowance or a jobseeker's allowance other than one referred to in sub-paragraph (a) that is made or treated as made during the relevant period by a single claimant of universal credit or by either of two joint claimants of universal credit who has or have made a claim for universal credit within sub-paragraph (a) or (b).]

(3) The day appointed in relation to the case of a claim referred to in paragraph (2), and any award that is made in respect of the claim, is the first day of the period in respect of which the claim is made.

(4) For the purposes of paragraph (2)(c), “relevant period” means, in relation to a claim for universal credit referred to in paragraph (2)(a) or (b), any UC claim period, and any period subsequent to any UC claim period in respect of which the claimant is entitled to an award of universal credit in respect of the claim.

(5) For the purposes of paragraph (4), a “UC claim period” is a period when—

- (a) a claim for universal credit as referred to in paragraph (2)(a)<sup>F5</sup>, (b)(i) or (ii)] has been made but a decision has not yet been made on the claim; or
- (b) a decision has been made that the claimant is not entitled to universal credit and—
  - (i) the Secretary of State is considering whether to revise that decision under section 9 of the Social Security Act 1998, whether on an application made for that purpose, or on the Secretary of State’s own initiative; or
  - (ii) the claimant has appealed against that decision to the First-tier Tribunal and that appeal or any subsequent appeal to the Upper Tribunal or to a court has not been finally determined.

(6) Paragraphs [<sup>F6</sup>(6) to (9)] of article 4 of the No. 9 Order apply in relation to the case of a claim for universal credit referred to in paragraph (2) (and any award that is made in respect of the claim) as they apply in relation to the case of a claim for universal credit referred to in sub-paragraphs (a) and (b) of article 4(2) of the No. 9 Order (and any award that is made in respect of the claim).

[<sup>F7</sup>(7) Paragraphs (1) to (1B) of article 5 of the No. 9 Order apply for the purposes of paragraph (2) (a) as they apply for the purposes of article 4(2)(a) of the No. 9 Order.]

(8) Paragraphs (5) to (7) of article 5 of the No. 9 Order apply for the purposes of sub-paragraphs (a) and (c) of paragraph (2) as they apply for the purposes of sub-paragraphs (a) and (g) of article 4(2) of the No. 9 Order.

(9) Article 5(8) of the No. 9 Order applies for the purposes of paragraph (3) as it applies for the purposes of article 4(3)(a) of the No. 9 Order.]

#### Textual Amendments

- F1** Art. 4 substituted (16.6.2014 for specified purposes) by The Welfare Reform Act 2012 (Commencement No. 9, 11, 13, 14 and 16 and Transitional and Transitory Provisions (Amendment)) Order 2014 (S.I. 2014/1452), arts. 3, 20(1)(4)
- F2** Words in art. 4(2)(a) inserted (28.7.2014 for specified purposes) by The Welfare Reform Act 2012 (Commencement No. 9, 11, 13, 14, 16 and 17 and Transitional and Transitory Provisions (Amendment) (No. 2)) Order 2014 (S.I. 2014/1923), arts. 3, 8(4)(a)
- F3** Art. 4(2)(b) substituted (30.6.2014 for specified purposes) by The Welfare Reform Act 2012 (Commencement No. 9, 11, 13, 14, 16 and 17 and Transitional and Transitory Provisions (Amendment)) Order 2014 (S.I. 2014/1661), arts. 3, 7(5)(a)
- F4** Art. 4(2)(c) substituted (28.7.2014 for specified purposes) by The Welfare Reform Act 2012 (Commencement No. 9, 11, 13, 14, 16 and 17 and Transitional and Transitory Provisions (Amendment) (No. 2)) Order 2014 (S.I. 2014/1923), arts. 3, 8(4)(b)
- F5** Words in art. 5(a) substituted (30.6.2014 for specified purposes) by The Welfare Reform Act 2012 (Commencement No. 9, 11, 13, 14, 16 and 17 and Transitional and Transitory Provisions (Amendment)) Order 2014 (S.I. 2014/1661), arts. 3, 7(5)(b)
- F6** Words in art. 4(6) substituted (26.1.2015 for specified purposes) by The Welfare Reform Act 2012 (Commencement No. 9, 11, 13, 14, 16, 17 and 19 and Transitional and Transitory Provisions (Amendment)) Order 2015 (S.I. 2015/32), arts. 3(1), 9
- F7** Art. 4(7) substituted (24.11.2014 for specified purposes) by The Welfare Reform Act 2012 (Commencement No. 9, 11, 13, 14, 16, 17 and 19 and Transitional and Transitory Provisions (Amendment)) Order 2014 (S.I. 2014/3067), arts. 3, 6(4)

#### Modifications etc. (not altering text)

- C1** Art. 4 modified (25.5.2016 for specified purposes) by The Welfare Reform Act 2012 (Commencement No. 13, 14, 16, 19, 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2016 (S.I. 2016/596), art. 7(1)(2)(d)(e)

- C2** Art. 4 modified (29.6.2016 for specified purposes) by The Welfare Reform Act 2012 (Commencement No. 13, 14, 16, 19, 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2016 (S.I. 2016/596), **art. 7(1)(2)(d)(e)**
- C3** Art. 4 modified (22.7.2020 (as amended 4.8.2020)) by The Universal Credit (Managed Migration Pilot and Miscellaneous Amendments) Regulations 2019 (S.I. 2019/1152), regs. 1(3), **5(1)** (with reg. 5(2)); (S.I. 2020/826), regs. 1, 2(2)
- C4** Art. 4(2)(a) modified (25.5.2016) by The Welfare Reform Act 2012 (Commencement No. 13, 14, 16, 19, 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2016 (S.I. 2016/596), art. 3, **Sch.**
- C5** Art. 4(2)(a) modified (29.6.2016) by The Welfare Reform Act 2012 (Commencement No. 13, 14, 16, 19, 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2016 (S.I. 2016/596), art. 4, **Sch.**

**Changes to legislation:**

There are currently no known outstanding effects for the The Welfare Reform Act 2012 (Commencement No. 14 and Transitional and Transitory Provisions) Order 2013, Section 4.