
STATUTORY INSTRUMENTS

2014 No. 1452

The Welfare Reform Act 2012 (Commencement
No. 9, 11, 13, 14 and 16 and Transitional and
Transitory Provisions (Amendment)) Order 2014

PART 2

AMENDMENT OF THE NO. 9 ORDER

Amendment of article 2 of the No. 9 Order: interpretation

4.—(1) Where article 3 applies, article 2 of the No. 9 Order (interpretation) is amended as follows.

(2) In paragraph (1)—

(a) after the definition of “the amending provisions” insert—

““claimant”, in relation to an employment and support allowance or a jobseeker’s allowance, has the same meaning as in Part 1 of the 2007 Act and the 1995 Act (as it applies apart from the amendments made by Part 1 of Schedule 14 to the Act that remove references to an income-based jobseeker’s allowance) respectively and, in relation to universal credit, has the same meaning as in Part 1 of the Act;”;

(b) after the definition of “contributory employment and support allowance” insert—

““conversion decision” has the meaning given by the 2010 Transitional Regulations;”;

(c) after the definition of “the ESA Regulations 2013” insert—

““existing benefit” means income-based jobseeker’s allowance, income-related employment and support allowance, income support, housing benefit and child tax credit and working tax credit;

“First-tier Tribunal” has the same meaning as in the Social Security Act 1998;

“gateway conditions” means the conditions specified in Schedule 5;

“housing benefit” means housing benefit under section 130 of the Social Security Contributions and Benefits Act 1992(1);”;

(d) after the definition of “income-related employment and support allowance” insert—

““income support” means income support under section 124 of the Social Security Contributions and Benefits Act 1992;”;

(e) after the definition of “jobseeker’s allowance” insert—

““joint claimant”, in relation to universal credit, has the same meaning as in Part 1 of the Act;”;

- (f) for the definitions of “new style ESA award”, “new style JSA award”, “old style ESA award” and “old style JSA award” substitute—
- ““new style ESA” means an employment and support allowance under Part 1 of the 2007 Act as amended by the provisions of Schedule 3, and Part 1 of Schedule 14, to the Act that remove references to an income-related allowance and “new style ESA award” shall be construed accordingly;
- “new style JSA” means a jobseeker’s allowance under the 1995 Act as amended by the provisions of Part 1 of Schedule 14 to the Act that remove references to an income-based allowance and “new style JSA award” shall be construed accordingly;
- “old style ESA” means an employment and support allowance under Part 1 of the 2007 Act as it has effect apart from the amendments made by Schedule 3, and Part 1 of Schedule 14, to the Act that remove references to an income-related allowance and “old style ESA award” shall be construed accordingly;
- “old style JSA” means a jobseeker’s allowance under the 1995 Act as it has effect apart from the amendments made by Part 1 of Schedule 14 to the Act that remove references to an income-based jobseeker’s allowance and “old style JSA award” shall be construed accordingly;”;
- (g) after the definition of “relevant districts” insert—
- ““single claimant”, in relation to universal credit, has the same meaning as in Part 1 of the Act;
- “state pension credit” means state pension credit under the State Pension Credit Act 2002(2);
- “tax credit” (including “child tax credit” and “working tax credit”) has the same meaning as in the Tax Credits Act 2002(3);”;
- (h) omit the definition of “the Transitional Regulations”; and
- (i) at the end insert—
- ““the 2014 Transitional Regulations” means the Universal Credit (Transitional Provisions) Regulations 2014(4);
- “the Universal Credit Regulations” means the Universal Credit Regulations 2013(5);
- “Upper Tribunal” has the same meaning as in the Social Security Act 1998.”.
- (3) For paragraph (2) substitute—
- “(2) For the purposes of this Order—
- (a) the Claims and Payments Regulations 2013 apply for the purpose of deciding—
- (i) whether a claim for universal credit is made or is to be treated as made; and
- (ii) the date on which such a claim is made; and
- (b) where a couple is treated, in accordance with regulation 9(8) of the Claims and Payments Regulations 2013, as making a claim for universal credit, references to the date on which the claim is treated as made are to the date of formation of the couple.”.

(2) 2002 c.16.
(3) 2002 c. 21.
(4) S.I. 2014/1230.
(5) S.I. 2013/376.