
STATUTORY INSTRUMENTS

2015 No. 1930

**The Welfare Reform Act 2012 (Commencement No. 25
and Transitional and Transitory Provisions) Order 2015**

Interpretation

2.—(1) In this Order—

“the Act” means the Welfare Reform Act 2012;

“the amending provisions” means the provisions referred to in article 4(1)(a) to (c) of the No. 9 Order (day appointed for the abolition of income-related employment and support allowance and income-based jobseeker’s allowance)(1);

“claimant”—

(a) in relation to an employment and support allowance, has the same meaning as in Part 1 of the Welfare Reform Act 2007(2), save as mentioned in article 5(1A) of the No. 9 Order as applied by article 4(7) of this Order(3);

(b) in relation to a jobseeker’s allowance, has the same meaning as in the Jobseekers Act 1995(4) (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), save as mentioned in article 5(1A) of the No. 9 Order as applied by article 4(7) of this Order;

(c) in relation to universal credit, has the same meaning as in Part 1 of the Act(5);

“the Claims and Payments Regulations 1987” means the Social Security (Claims and Payments) Regulations 1987(6);

“employment and support allowance” means an employment and support allowance under Part 1 of the Welfare Reform Act 2007;

“jobseeker’s allowance” means a jobseeker’s allowance under the Jobseekers Act 1995;

“joint claimants”, in relation to universal credit, has the same meaning as in Part 1 of the Act(7);

“the No. 9 Order” means 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(8);

“the No. 23 Order” means the Welfare Reform Act 2012 (Commencement No. 23 and Transitional and Transitory Provisions) Order 2015(9);

(1) Article 4 was substituted by S.I. 2014/1452 (C. 56) and amended by S.I. 2014/1923 (C. 88).

(2) 2007 c. 5.

(3) Article 5(1A) was inserted by S.I. 2014/3067 (C. 129).

(4) 1995 c. 18.

(5) See section 40.

(6) S.I. 1987/1968.

(7) See section 40.

(8) S.I. 2013/983 (C. 41).

(9) S.I. 2015/634 (C. 32).

“the No. 24 Order” means the Welfare Reform Act 2012 (Commencement No. 24 and Transitional and Transitory Provisions and Commencement No. 9 and Transitional and Transitory Provisions (Amendment)) Order 2015⁽¹⁰⁾;

“the designated postcodes” means the postcode part-districts SM5 1, SM5 3, SM5 9, SM6 0 and SM6 6;

“single claimant”, in relation to universal credit, has the same meaning as in Part 1 of the Act⁽¹¹⁾.

(2) For the purposes of this Order, the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013⁽¹²⁾ apply for the purpose of deciding—

- (a) whether a claim for universal credit is made; and
- (b) the date on which such a claim is made.

(3) For the purposes of this Order, the Claims and Payments Regulations 1987 apply, subject to paragraphs (4) and (5), for the purposes of deciding—

- (a) whether a claim for an employment and support allowance or a jobseeker’s allowance is made; and
- (b) the date on which the claim is made or treated as made.

(4) Subject to paragraph (5), for the purposes of this Order—

- (a) a person makes a claim for an employment and support allowance or a jobseeker’s allowance if he or she takes any action which results in a decision on a claim being required under the Claims and Payments Regulations 1987; and
- (b) it is irrelevant that the effect of any provision of those Regulations is that, for the purposes of those Regulations, the claim is made or treated as made at a date that is earlier than the date on which that action is taken.

(5) Where, by virtue of—

- (a) regulation 6(1F)(b) or (c) of the Claims and Payments Regulations 1987⁽¹³⁾, in the case of a claim for an employment and support allowance; or
- (b) regulation 6(4ZA) to (4ZD) and (4A)(a)(i) and (b) of those Regulations⁽¹⁴⁾, in the case of a claim for a jobseeker’s allowance,

a claim for an employment and support allowance or a jobseeker’s allowance is treated as made at a date that is earlier than the date on which the action referred to in paragraph (4)(a) is taken, the claim is treated as made on that earlier date.

⁽¹⁰⁾ S.I. 2015/1537 (C. 87).

⁽¹¹⁾ See section 40.

⁽¹²⁾ S.I. 2013/380.

⁽¹³⁾ Paragraph (1F) was inserted by S.I. 2008/1554 and substituted by S.I. 2009/1490.

⁽¹⁴⁾ Paragraphs (4ZA) to (4ZD) were inserted by S.I. 2000/1982 and paragraph (4ZC) was amended by S.I. 2009/1490. Paragraph (4A) was inserted by S.I. 1996/1460, substituted by S.I. 1997/793 and amended by S.I. 1999/3108, S.I. 2000/1982 and S.I. 2009/1490.