
STATUTORY INSTRUMENTS

2014 No. 209

The Welfare Reform Act 2012 (Commencement No. 16 and Transitional and Transitory Provisions) Order 2014

Citation

1. This Order may be cited as the Welfare Reform Act 2012 (Commencement No. 16 and Transitional and Transitory Provisions) Order 2014.

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);

[^{F1}“claimant”—

(a) in relation to an employment and support allowance, has the same meaning as in Part 1 of the Welfare Reform Act 2007, save as mentioned in article 5(1A);

(b) in relation to a jobseeker's allowance, has the same meaning as in the Jobseekers Act 1995 (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);

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

“employment and support allowance” means an employment and support allowance under Part 1 of the Welfare Reform Act 2007 ^{M1};

[^{F2}“First-tier Tribunal” has the same meaning as in the Social Security Act 1998;]

^{F3}
...

“jobseeker's allowance” means a jobseeker's allowance under the Jobseekers Act 1995 ^{M2};

“No. 6 relevant districts” means the postcode part-districts specified in Part 1 of the Schedule;

“No. 7 relevant districts” means the postcode part-districts specified in Part 2 of the Schedule;

“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 ^{M3}.

[^{F2}“Upper Tribunal” has the same meaning as in the Social Security Act 1998.]

(2) [^{F2}For the purposes of this Order, a reference to a person who falls within the Pathfinder Group is a reference to a person who meets the requirements of regulations 5 to 12 of the Universal Credit (Transitional Provisions) Regulations 2013]^{M4}.

[^{F2}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 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.]

^{F4}(3)

F1	Art. 2(1) amended (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(3)
F2	Art. 2 amended (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, 21(1)(2)
F3	Art. 2 modified (5.4.2017) by The Welfare Reform Act 2012 (Commencement No. 11, 13, 16, 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2017 (S.I. 2017/57) , art. 16
F4	Art. 2 amended (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, 9(2)
Modifications etc. (not altering text)	
C1	Art. 2 amended (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, 8(3)
C2	Art. 2 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. 8(1)(2)(a)
C3	Art. 2 modified (5.4.2017) by The Welfare Reform Act 2012 (Commencement No. 11, 13, 16, 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2017 (S.I. 2017/57) , art. 16
C4	Art. 2(1) amended (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(3)
Marginal Citations	
M1	2007 c.5.
M2	1995 c.18.
M3	S.I. 2013/983 (C. 41).
M4	S.I. 2013/386. The Regulations were amended by S.I. 2013/803 and 2070.

Day appointed for the coming into force of the universal credit provisions in Part 1 of the Act

3.—(1) The day appointed for the coming into force of the provisions of the Act listed in Schedule 2 to the No. 9 Order, in so far as they are not already in force, 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).

[^{F5}The claims referred to are—

- (a) a claim for universal credit where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 6 or No. 7 relevant districts and meets the gateway conditions; and
- (b) a claim for universal credit where—

- (i) the claimant gives incorrect information regarding the claimant residing in a No 6 or a No. 7 relevant district ^{F6}... and does not reside in such a district ^{F6}... on the date on which the claim is made; and
- (ii) after a decision is made that the claimant is entitled to universal credit and one or more payments have been made in respect of the claimant, the Secretary of State discovers that incorrect information regarding residence ^{F6}... has been given.]

(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 ^{F7}....

(4) [^{F5}Article 3(5) of the No. 9 Order applies for the purposes of paragraph (2) as it applies for the purposes of sub-paragraphs (a) and (b) of article 3(3) of the No. 9 Order.]

(5) Article 3(6) of the No. 9 Order applies for the purposes of paragraph (3) as it applies for the purposes of article 3(4)(a) of the No. 9 Order.

[^{F8}(6) Article 3A of the No. 9 Order applies in connection with a claim for universal credit where a single claimant, or, as the case may be, either or both of joint claimants, gives incorrect information regarding his or her (or their) residing in a No. 6 ^{F6}...relevant district or a No. 7, as it applies in connection with the giving of incorrect information regarding a claimant residing in a relevant district (as defined in the No. 9 Order) ^{F6}....]

- F5** Art. 3 amended (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, 21(1)(3)**
- F6** Art. 3 modified (5.4.2017) by [The Welfare Reform Act 2012 \(Commencement No. 11, 13, 16, 22, 23 and 24 and Transitional and Transitory Provisions \(Modification\)\) Order 2017 \(S.I. 2017/57\)](#), **art. 16**
- F7** Words in art. 3(3) omitted (30.6.2014) by virtue of [The Welfare Reform Act 2012 \(Commencement No. 9, 11, 13 14, 16 and 17 and Transitional and Transitory Provisions \(Amendment\)\) Order 2014 \(S.I. 2014/1661\)](#), art. 8, **(1)(b)**
- F8** Art. 3 amended (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, 9(3)**

Modifications etc. (not altering text)

- C5** Art. 3 amended (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, 8(4)**
- C6** Art. 3 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. 8(1)(2)(b)(c)**
- C7** Art. 3(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.**
- C8** Art. 3(2)(a) modified (29.5.2016) 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. 4, **Sch.**
- C9** Art. 3(2)(a) modified (5.4.2017) by [The Welfare Reform Act 2012 \(Commencement No. 11, 13, 16, 22, 23 and 24 and Transitional and Transitory Provisions \(Modification\)\) Order 2017 \(S.I. 2017/57\)](#), art. 10, **Sch.**

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

4.—(1) [^{F9}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 [^{F10}or treated as made], the claimant—

- (i) resides in one of the No. 6 or No. 7 relevant districts; and
- (ii) meets the gateway conditions;

(b) a claim for universal credit where—

- (i) the claimant gives incorrect information regarding the claimant residing in a No. 6 or a No. 7 relevant district ^{F11}... and does not reside in such a district ^{F11}... on the date on which the claim is made; and
- (ii) after a decision is made that the claimant is entitled to universal credit and one or more payments have been made in respect of the claimant, the Secretary of State discovers that incorrect information has been given regarding residence ^{F11}...; and

[^{F10}(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) or (b) 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 [^{F12}(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).

[^{F11}(7) Paragraphs (1A) and (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 (but as if the references in paragraph (1A) to Schedule 5 to the No. 9 Order were omitted).]

(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 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].

- F9** Art. 4 amended (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, 21(1)(4)**
- F10** Art. 4 amended (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, 9(4)**
- F11** Art. 4 modified (5.4.2017) by [The Welfare Reform Act 2012 \(Commencement No. 11, 13, 16, 22, 23 and 24 and Transitional and Transitory Provisions \(Modification\)\) Order 2017 \(S.I. 2017/57\)](#), **art. 16**
- F12** Art. 4(6) amended (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**

Modifications etc. (not altering text)

- C10** Art. 4 amended (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, 8(5)**
- C11** Art. 4 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. 8(1)(2)(d)(e)**
- C12** Art. 4 modified (22.7.2020) 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)) (as amended: (4.8.2020) by S.I. 2020/826, regs. 1, 2(2))**
- C13** 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.**
- C14** Art. 4(2)(a) modified (29.5.2016) 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. 4, Sch.**
- C15** Art. 4(2)(a) modified (5.4.2017) by [The Welfare Reform Act 2012 \(Commencement No. 11, 13, 16, 22, 23 and 24 and Transitional and Transitory Provisions \(Modification\)\) Order 2017 \(S.I. 2017/57\)](#), **art. 10, Sch.**
- C16** Art. 4(7) amended (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)**

Application of the No. 9 Order

5. [^{F13}Articles 6 and][^{F13}Articles]^{F14}9 to 22 of the No. 9 Order ^{M5} apply in connection with the coming into force of the amending provisions in relation to the case of a claim referred to in article 4(2), and any award made in respect of the claim, as they apply in connection with the coming into force of the amending provisions in relation to the case of a claim referred to in sub-paragraphs (a) and (b) of article 4(2) of the No. 9 Order and any award made in respect of the claim.

F13 Art. 5 amended (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, 21(1)(5)**

F14 Art. 5 amended (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 \(S.I. 2014/1452\)](#), **art. 17**

Modifications etc. (not altering text)

C17 Art. 5 amended (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, 8(6)**

Marginal Citations

M5 Articles 10 to 13 of, and Schedule 4 to, the Order (Schedule 4 takes effect under article 9) were amended by [S.I. 2013/1511 \(C.60\)](#); article 11 of the Order was amended by article 5 of [S.I. 2013/2657 \(C. 107\)](#).

Day appointed for the coming into force of section 139 of the Act

6. The day appointed for the coming into force of section 139 of the Act (recovery of child support maintenance by deduction from benefit) is the day following the day on which this Order is made.

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

Department for Work and Pensions

Freud
Parliamentary Under Secretary of State

Changes to legislation:

There are currently no known outstanding effects for the The Welfare Reform Act 2012 (Commencement No. 16 and Transitional and Transitory Provisions) Order 2014.