
STATUTORY INSTRUMENTS

2014 No. 2321

The Welfare Reform Act 2012 (Commencement No. 19 and Transitional and Transitory Provisions and Commencement No. 9 and Transitional and Transitory Provisions (Amendment)) Order 2014

Amendment of the No. 9 Order

7. With effect from 15th September 2014, article 5A of the No. 9 Order⁽¹⁾ is amended as follows—

(a) in paragraph (1), after “or category of case)” insert “and where the amending provisions would otherwise have come into force in relation to the claim by virtue of article 4(2)(a) or any corresponding provision in any order made under section 150(3) of the Act other than this Order”; and

(b) for paragraphs (2) and (3) substitute—

“(2) Paragraph (1) does not apply in relation to a claim for an employment and support allowance (“ESA”) or a jobseeker’s allowance (“JSA”) where the claim is made or treated as made—

(a) where the claimant of ESA or JSA has made or been treated as having made a claim for universal credit (“UC”) within article 4(2)(a) to (d) (whether or not the claim for UC is made jointly with another person), or has been awarded UC without a claim within article 4(2)(e) or (f) (whether or not the award is made to the claimant of ESA or JSA and another person as joint claimants), during the “relevant period” in relation to that claim or award as referred to in article 5(3)(a) or (b);

(b) where the claimant of ESA or JSA has made a claim for UC within any provision of an order made under section 150(3) of the Act, apart from this Order, that corresponds to article 4(2)(a) or (b) (whether or not the claim for UC is made by the claimant of ESA or JSA and another person as joint claimants), during the “relevant period” in relation to that claim as referred to in the provision of that order that corresponds to article 5(3)(a); or

(c) at a time when the claimant of ESA or JSA may be entitled to an award of UC without a claim in the circumstances referred to in article 4(2)(e) or (f) (whether or not the award may be made to the claimant of ESA or JSA and another person as joint claimants) but where no decision has yet been made as to the claimant’s entitlement.

(3) For the purposes of this article, the Claims and Payments Regulations 1987 apply for the purpose of deciding—

(a) whether a claim for ESA or JSA is made; and

(b) the date on which the claim is made or treated as made.”.

⁽¹⁾ Article 5A was inserted by [S.I. 2014/1452 \(C. 56\)](#).

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Welfare Reform Act 2012 (Commencement No. 19 and Transitional and Transitory Provisions and Commencement No. 9 and Transitional and Transitory Provisions (Amendment)) Order 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

II Art. 7 in force at made date

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Order amended by [S.I. 2015/1537 art. 5\(1\)art. 5\(2\)\(b\)](#)
- Order amended by [S.I. 2015/634 art. 8\(1\)\(3\)](#)
- Order modified by [S.I. 2014/3067 art. 7\(b\)](#)
- Order modified by [S.I. 2015/32 art. 3\(1\)6\(1\)](#)
- Order modified by [S.I. 2015/32 art. 3\(2\)6\(3\)](#)
- Order modified by [S.I. 2015/32 art. 3\(3\)6\(4\)](#)