
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**

Citation

1. This Order may be cited as 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.

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);
- (b) in relation to a jobseeker’s allowance, has the same meaning as in the Jobseekers Act 1995(3) (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);
- (c) in relation to universal credit, has the same meaning as in Part 1 of the Act(4);

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

“First-tier Tribunal” has the same meaning as in the Social Security Act 1998(5);

“gateway conditions” means the conditions specified in Schedule 5 to the No. 9 Order(6);

“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;

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

(2) 2007 c. 5.

(3) 1995 c. 18.

(4) See section 40 of the Welfare Reform Act 2012.

(5) 1998 c. 14.

(6) Schedule 5 was inserted by S.I. 2014/1452 (C. 56) and was amended by S.I. 2014/1661 (C. 69) and S.I. 2014/1923 (C. 88).

“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(7);

“No. 14 relevant districts” means the postcode districts and part-districts specified in Part 1 of the Schedule;

“No. 15 relevant districts” means the postcode districts and part-districts specified in Part 2 of the Schedule;

“No. 16 relevant districts” means the postcode districts and part-districts specified in Part 3 of the Schedule;

“No. 17 relevant districts” means the postcode districts and part-districts specified in Part 4 of the Schedule;

“No. 18 relevant districts” means the postcode districts and part-districts specified in Part 5 of the Schedule;

“No. 19 relevant districts” means the postcode districts and part-districts specified in Part 6 of the Schedule;

“No. 20 relevant districts” means the postcode districts and part-districts specified in Part 7 of the Schedule;

“No. 21 relevant districts” means the postcode districts and part-districts specified in Part 8 of the Schedule;

“No. 22 relevant districts” means the postcode districts and part-districts specified in Part 9 of the Schedule;

“No. 23 relevant districts” means the postcode districts and part-districts specified in Part 10 of the Schedule;

“No. 24 relevant districts” means the postcode districts and part-districts specified in Part 11 of the Schedule;

“No. 25 relevant districts” means the postcode districts and part-districts specified in Part 12 of the Schedule;

“No. 26 relevant districts” means the postcode districts and part-districts specified in Part 13 of the Schedule;

“No. 27 relevant districts” means the postcode districts and part-districts specified in Part 14 of the Schedule;

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

“Upper Tribunal” has the same meaning as in the Social Security Act 1998.

(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(8) 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.

Day appointed for the coming into force of the universal credit provisions

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

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

(8) S.I. 2013/380.

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 that is made on or after 15th September 2014 in respect of a period that begins on or after 15th September 2014 where, on the date on which the claim is made, the claimant resides in one of the No. 14 relevant districts and meets the gateway conditions;
- (b) a claim for universal credit that is made on or after 22nd September 2014 in respect of a period that begins on or after 22nd September 2014 where, on the date on which the claim is made, the claimant resides in one of the No. 15 relevant districts and meets the gateway conditions;
- (c) a claim for universal credit that is made on or after 29th September 2014 in respect of a period that begins on or after 29th September 2014 where, on the date on which the claim is made, the claimant resides in one of the No. 16 relevant districts and meets the gateway conditions;
- (d) a claim for universal credit that is made on or after 6th October 2014 in respect of a period that begins on or after 6th October 2014 where, on the date on which the claim is made, the claimant resides in one of the No. 17 relevant districts and meets the gateway conditions;
- (e) a claim for universal credit that is made on or after 13th October 2014 in respect of a period that begins on or after 13th October 2014 where, on the date on which the claim is made, the claimant resides in one of the No. 18 relevant districts and meets the gateway conditions;
- (f) a claim for universal credit that is made on or after 20th October 2014 in respect of a period that begins on or after 20th October 2014 where, on the date on which the claim is made, the claimant resides in one of the No. 19 relevant districts and meets the gateway conditions;
- (g) a claim for universal credit that is made on or after 27th October 2014 in respect of a period that begins on or after 27th October 2014 where, on the date on which the claim is made, the claimant resides in one of the No. 20 relevant districts and meets the gateway conditions;
- (h) a claim for universal credit that is made on or after 3rd November 2014 in respect of a period that begins on or after 3rd November 2014 where, on the date on which the claim is made, the claimant resides in one of the No. 21 relevant districts and meets the gateway conditions;
- (i) a claim for universal credit that is made on or after 10th November 2014 in respect of a period that begins on or after 10th November 2014 where, on the date on which the claim is made, the claimant resides in one of the No. 22 relevant districts and meets the gateway conditions;
- (j) a claim for universal credit that is made on or after 17th November 2014 in respect of a period that begins on or after 17th November 2014 where, on the date on which the claim is made, the claimant resides in one of the No. 23 relevant districts and meets the gateway conditions;
- (k) a claim for universal credit that is made on or after 24th November 2014 in respect of a period that begins on or after 24th November 2014 where, on the date on which the claim is made, the claimant resides in one of the No. 24 relevant districts and meets the gateway conditions;
- (l) a claim for universal credit that is made on or after 1st December 2014 in respect of a period that begins on or after 1st December 2014 where, on the date on which the claim

is made, the claimant resides in one of the No. 25 relevant districts and meets the gateway conditions;

- (m) a claim for universal credit that is made on or after 8th December 2014 in respect of a period that begins on or after 8th December 2014 where, on the date on which the claim is made, the claimant resides in one of the No. 26 relevant districts and meets the gateway conditions;
- (n) a claim for universal credit that is made on or after 15th December 2014 in respect of a period that begins on or after 15th December 2014 where, on the date on which the claim is made, the claimant resides in one of the No. 27 relevant districts and meets the gateway conditions;
- (o) a claim for universal credit that is made on or after the date referred to in any of sub-paragraphs (a) to (n), in respect of a period that begins on or after that date where—
 - (i) in the case of a single claimant, the claimant gives incorrect information regarding the claimant residing in a district as referred to in the sub-paragraph in question or meeting the gateway conditions and the claimant 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 the gateway 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 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.

(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) 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.

(5) Article 3A of the No. 9 Order⁽⁹⁾ 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. 14, No. 15, No. 16, No. 17, No. 18, No. 19, No. 20, No. 21, No. 22, No. 23, No. 24, No. 25, No. 26 or No. 27 relevant district or meeting the gateway conditions, 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) or meeting the gateway conditions.

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

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 that is made or treated as made on or after 15th September 2014 in respect of a period that begins on or after 15th September 2014 where, on the date on which the claim

(9) Article 3A was substituted by [S.I. 2014/1923 \(C. 88\)](#).

- is made or treated as made, the claimant resides in one of the No. 14 relevant districts and meets the gateway conditions;
- (b) a claim for universal credit, an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 22nd September 2014 in respect of a period that begins on or after 22nd September 2014 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 15 relevant districts and meets the gateway conditions;
 - (c) a claim for universal credit, an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 29th September 2014 in respect of a period that begins on or after 29th September 2014 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 16 relevant districts and meets the gateway conditions;
 - (d) a claim for universal credit, an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 6th October 2014 in respect of a period that begins on or after 6th October 2014 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 17 relevant districts and meets the gateway conditions;
 - (e) a claim for universal credit, an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 13th October 2014 in respect of a period that begins on or after 13th October 2014 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 18 relevant districts and meets the gateway conditions;
 - (f) a claim for universal credit, an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 20th October 2014 in respect of a period that begins on or after 20th October 2014 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 19 relevant districts and meets the gateway conditions;
 - (g) a claim for universal credit, an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 27th October 2014 in respect of a period that begins on or after 27th October 2014 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 20 relevant districts and meets the gateway conditions;
 - (h) a claim for universal credit, an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 3rd November 2014 in respect of a period that begins on or after 3rd November 2014 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 21 relevant districts and meets the gateway conditions;
 - (i) a claim for universal credit, an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 10th November 2014 in respect of a period that begins on or after 10th November 2014 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 22 relevant districts and meets the gateway conditions;
 - (j) a claim for universal credit, an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 17th November 2014 in respect of a period that begins on or after 17th November 2014 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 23 relevant districts and meets the gateway conditions;
 - (k) a claim for universal credit, an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 24th November 2014 in respect of a

period that begins on or after 24th November 2014 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 24 relevant districts and meets the gateway conditions;

- (l) a claim for universal credit, an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 1st December 2014 in respect of a period that begins on or after 1st December 2014 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 25 relevant districts and meets the gateway conditions;
- (m) a claim for universal credit, an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 8th December 2014 in respect of a period that begins on or after 8th December 2014 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 26 relevant districts and meets the gateway conditions;
- (n) a claim for universal credit, an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 15th December 2014 in respect of a period that begins on or after 15th December 2014 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 27 relevant districts and meets the gateway conditions;
- (o) a claim for universal credit that is made on or after the date referred to in any of sub-paragraphs (a) to (n), in respect of a period that begins on or after that date where—
 - (i) in the case of a single claimant, the claimant gives incorrect information regarding the claimant residing in a district as referred to in the sub-paragraph in question or meeting the gateway conditions and the claimant 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 the gateway 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 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;

- (p) a claim for an employment and support allowance or a jobseeker's allowance other than one referred to in sub-paragraphs (a) to (n) 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 one of sub-paragraphs (a) to (o).

(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)(p), "relevant period" means, in relation to a claim for universal credit within paragraph (2)(a) to (o), 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 within one of sub-paragraphs (a) to (n) of paragraph (2), or within sub-paragraph (o)(i) or (ii) of that paragraph, 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 (6) and (7) of article 4 of the No. 9 Order(10) apply in relation to 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 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).

(7) Article 5(1) of the No. 9 Order(11) applies for the purposes of paragraph (2)(a) to (n) as it applies 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(12) apply for the purposes of sub-paragraphs (a) to (n) and (p) 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.

Application of the No. 9 Order

5. Articles 9 to 22 of the No. 9 Order(13) 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), (b) and (g) of article 4(2) of the No. 9 Order and any award made in respect of the claim.

Day appointed for the coming into force of section 41 of the Act.

6. 15th September 2014 is the day appointed for the coming into force of section 41 of the Act (pilot schemes) for all purposes.

Amendment of the No. 9 Order

7. With effect from 15th September 2014, article 5A of the No. 9 Order(14) 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—

(10) Article 4 was substituted by [S.I. 2014/1452 \(C. 56\)](#).

(11) Article 5 was substituted by [S.I. 2014/1452 \(C. 56\)](#); article 5(1) was amended by [S.I. 2014/1923 \(C. 88\)](#).

(12) Article 5(7) was amended by [S.I. 2014/1923 \(C. 88\)](#).

(13) Articles 10 to 13 of, and Schedule 4 to, the No. 9 Order (Schedule 4 takes effect under article 9) were amended by [S.I. 2013/1511 \(C.60\)](#); article 11 of the No. 9 Order was amended by [S.I. 2013/2657 \(C. 107\)](#); articles 9, 11, 13, 15, 18 and 22 of the No. 9 Order were amended by [S.I. 2014/1452 \(C. 56\)](#).

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

- (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.”.

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

1st September 2014

Freud
Parliamentary Under Secretary of State
Department for Work and Pensions