
STATUTORY INSTRUMENTS

2014 No. 3067

**The Welfare Reform Act 2012 (Commencement
No. 9, 11, 13 14, 16, 17 and 19 and Transitional and
Transitory Provisions (Amendment)) Order 2014**

**Meaning of “claimant”: amendment of the No. 9, No. 11, No. 13, No. 14, No. 16, No. 17 and
No. 19 Orders**

6.—(1) Where this article applies, the No. 9 Order, the No. 11 Order, the No. 13 Order, the No. 14 Order, the No. 16 Order, the No. 17 Order and the No. 19 Order are amended as follows.

(2) In the No. 9 Order—

(a) in article 2(1) (interpretation)(1), for the definition of claimant substitute—

““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(2);”;
- and

(b) for article 5(1)(3) substitute—

“5. In determining, for the purposes of article 4(2)(a), whether a claim for an employment and support allowance or a jobseeker’s allowance meets the gateway conditions, Schedule 5 is to be read as though—

- (a) any reference in that Schedule to making a claim for universal credit included a reference to making a claim for an employment and support allowance or a jobseeker’s allowance as the case may be; and
- (b) the reference in paragraph 4 to a single claimant, or to joint claimants, of universal credit was a reference to a person who would be a single claimant of universal credit or to persons who would be joint claimants of universal credit, if the claimant of an employment and support allowance or a jobseeker’s allowance had made a claim for universal credit.

(1A) For the purposes of article 4(2)(a), where a claim for an employment and support allowance or a jobseeker’s allowance is made by a couple or a member of a couple, any reference in article 4(2)(a) or Schedule 5 (save in paragraph 4 of that Schedule) to “the claimant” is a reference to each member of the couple.

(1) The definition of “claimant” in article 2(1) was inserted by [S.I. 2014/1452 \(C.56\)](#). There have been other amendments of article 2(1) that are not relevant to this provision.
(2) See section 40 of the Welfare Reform Act 2012.
(3) Article 5(1) was substituted by [S.I. 2014/1923 \(C.88\)](#).

(1B) For the purposes of paragraph (1A), “couple” has the same meaning as it has in section 39 of the Act.”.

(3) In article 2(1) of the No. 11 Order, the No. 13 Order, the No. 14 Order, the No. 16 Order, the No. 17 Order and the No. 19 Order (interpretation)(4), for the definition of “claimant” substitute—

““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) of the No. 9 Order as applied by article 4(7);
- (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) of the No. 9 Order as applied by article 4(7);
- (c) in relation to universal credit, has the same meaning as in Part 1 of the Act;”.

(4) In the No. 11, No. 13, No. 14 and No. 16 Orders, for paragraph (7) of article 4 (day appointed for the abolition of income-related employment and support allowance and income-based jobseeker’s allowance)(5) substitute—

“(7) Paragraphs (1) to (1B) of article 5 of the No. 9 Order(6) apply for the purposes of paragraph (2)(a) as they apply for the purposes of article 4(2)(a) of the No. 9 Order.”.

(5) In the No. 17 Order, for paragraph (7) of article 4 (day appointed for the abolition of income-related employment and support allowance and income-based jobseeker’s allowance) substitute—

“(7) Paragraphs (1) to (1B) of article 5 of the No. 9 Order apply for the purposes of paragraph (2)(a), (c), (e), (g), (i) and (k) as they apply for the purposes of article 4(2)(a) of the No. 9 Order.”.

(6) In the No. 19 Order, for paragraph (7) of article 4 (day appointed for the abolition of income-related employment and support allowance and income-based jobseeker’s allowance) substitute—

“(7) Paragraphs (1) to (1B) of article 5 of the No. 9 Order apply for the purposes of paragraph (2)(a) to (n) as they apply for the purposes of article 4(2)(a) of the No. 9 Order.”.

(4) The definition of “claimant” in article 2(1) of the No. 11, No. 13, No. 14 and No. 16 Orders was inserted by [S.I. 2014/1452 \(C.56\)](#); the definition of “claimant” in the No. 17 Order was inserted by [S.I. 2014/1661 \(C.69\)](#). There have been other amendments of article 2(1) of each of these Orders that are not relevant to this provision.

(5) Article 4 was substituted in each of these Orders by [S.I. 2014/1452 \(C.56\)](#) and (in the No. 13, 14 and 16 Orders) was amended by [S.I. 2014/1661 \(C.69\)](#) and [2014/1923 \(C.88\)](#).

(6) Article 5 was substituted by [S.I. 2014/1452 \(C.56\)](#) and amended by [S.I. 2014/1923 \(C.88\)](#); paragraphs (1) to (1B) of article 5 are inserted by article 6(2) of this Order.