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## STATUTORY INSTRUMENTS

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### 2015 No. 1537

#### 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

##### **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 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 21st September 2015 in respect of a period that begins on or after 21st September 2015 where, on the date on which the claim is made, the claimant resides in one of the No. 53 relevant districts and meets the gateway conditions;
- (b) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 21st September 2015 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 53 relevant districts and meets the gateway conditions;
- (c) a claim for universal credit that is made on or after 28th September 2015 in respect of a period that begins on or after 28th September 2015 where, on the date on which the claim is made, the claimant resides in one of the No. 54 relevant districts and meets the gateway conditions;
- (d) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 28th September 2015 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 54 relevant districts and meets the gateway conditions;
- (e) a claim for universal credit that is made on or after 5th October 2015 in respect of a period that begins on or after 5th October 2015 where, on the date on which the claim is made, the claimant resides in one of the No. 55 relevant districts and meets the gateway conditions;
- (f) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 5th October 2015 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 55 relevant districts and meets the gateway conditions;
- (g) a claim for universal credit that is made on or after 12th October 2015 in respect of a period that begins on or after 12th October 2015 where, on the date on which the claim is made, the claimant resides in one of the No. 56 relevant districts and meets the gateway conditions;
- (h) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 12th October 2015 where, on the date on which the claim is

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made or treated as made, the claimant resides in one of the No. 56 relevant districts and meets the gateway conditions;

- (i) a claim for universal credit that is made on or after 19th October 2015 in respect of a period that begins on or after 19th October 2015 where, on the date on which the claim is made, the claimant resides in one of the No. 57 relevant districts and meets the gateway conditions;
- (j) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 19th October 2015 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 57 relevant districts and meets the gateway conditions;
- (k) a claim for universal credit that is made on or after 26th October 2015 in respect of a period that begins on or after 26th October 2015 where, on the date on which the claim is made, the claimant resides in one of the No. 58 relevant districts and meets the gateway conditions;
- (l) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 26th October 2015 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 58 relevant districts and meets the gateway conditions;
- (m) a claim for universal credit that is made on or after 2nd November 2015 in respect of a period that begins on or after 2nd November 2015 where, on the date on which the claim is made, the claimant resides in one of the No. 59 relevant districts and meets the gateway conditions;
- (n) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 2nd November 2015 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 59 relevant districts and meets the gateway conditions;
- (o) a claim for universal credit that is made on or after 9th November 2015 in respect of a period that begins on or after 9th November 2015 where, on the date on which the claim is made, the claimant resides in one of the No. 60 relevant districts and meets the gateway conditions;
- (p) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 9th November 2015 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 60 relevant districts and meets the gateway conditions;
- (q) a claim for universal credit that is made on or after 16th November 2015 in respect of a period that begins on or after 16th November 2015 where, on the date on which the claim is made, the claimant resides in one of the No. 61 relevant districts and meets the gateway conditions;
- (r) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 16th November 2015 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 61 relevant districts and meets the gateway conditions;
- (s) a claim for universal credit that is made on or after 23rd November 2015 in respect of a period that begins on or after 23rd November 2015 where, on the date on which the claim is made, the claimant resides in one of the No. 62 relevant districts and meets the gateway conditions;
- (t) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 23rd November 2015 where, on the date on which the claim

- is made or treated as made, the claimant resides in one of the No. 62 relevant districts and meets the gateway conditions;
- (u) a claim for universal credit that is made on or after 30th November 2015 in respect of a period that begins on or after 30th November 2015 where, on the date on which the claim is made, the claimant resides in one of the No. 63 relevant districts and meets the gateway conditions;
  - (v) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 30th November 2015 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 63 relevant districts and meets the gateway conditions;
  - (w) a claim for universal credit that is made on or after 7th December 2015 in respect of a period that begins on or after 7th December 2015 where, on the date on which the claim is made, the claimant resides in one of the No. 64 relevant districts and meets the gateway conditions;
  - (x) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 7th December 2015 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 64 relevant districts and meets the gateway conditions;
  - (y) a claim for universal credit that is made on or after 14th December 2015 in respect of a period that begins on or after 14th December 2015 where, on the date on which the claim is made, the claimant resides in one of the No. 65 relevant districts and meets the gateway conditions;
  - (z) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 14th December 2015 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 65 relevant districts and meets the gateway conditions;
  - (aa) a claim for universal credit that is made on or after 11th January 2016 in respect of a period that begins on or after 11th January 2016 where, on the date on which the claim is made, the claimant resides in one of the No. 66 relevant districts and meets the gateway conditions;
  - (bb) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 11th January 2016 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 66 relevant districts and meets the gateway conditions;
  - (cc) a claim for universal credit that is made on or after 18th January 2016 in respect of a period that begins on or after 18th January 2016 where, on the date on which the claim is made, the claimant resides in one of the No. 67 relevant districts and meets the gateway conditions;
  - (dd) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 18th January 2016 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 67 relevant districts and meets the gateway conditions;
  - (ee) a claim for universal credit that is made on or after 25th January 2016 in respect of a period that begins on or after 25th January 2016 where, on the date on which the claim is made, the claimant resides in one of the No. 68 relevant districts and meets the gateway conditions;
  - (ff) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 25th January 2016 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 68 relevant districts and meets the gateway conditions;

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- (gg) a claim for universal credit that is made on or after 1st February 2016 in respect of a period that begins on or after 1st February 2016 where, on the date on which the claim is made, the claimant resides in one of the No. 69 relevant districts and meets the gateway conditions;
- (hh) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 1st February 2016 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 69 relevant districts and meets the gateway conditions;
- (ii) a claim for universal credit that is made on or after 8th February 2016 in respect of a period that begins on or after 8th February 2016 where, on the date on which the claim is made, the claimant resides in one of the No. 70 relevant districts and meets the gateway conditions;
- (jj) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 8th February 2016 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 70 relevant districts and meets the gateway conditions;
- (kk) a claim for universal credit that is made on or after 15th February 2016 in respect of a period that begins on or after 15th February 2016 where, on the date on which the claim is made, the claimant resides in one of the No. 71 relevant districts and meets the gateway conditions;
- (ll) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 15th February 2016 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 71 relevant districts and meets the gateway conditions;
- (mm) a claim for universal credit that is made on or after 22nd February 2016 in respect of a period that begins on or after 22nd February 2016 where, on the date on which the claim is made, the claimant resides in one of the No. 72 relevant districts and meets the gateway conditions;
- (nn) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 22nd February 2016 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 72 relevant districts and meets the gateway conditions;
- (oo) a claim for universal credit that is made on or after 29th February 2016 in respect of a period that begins on or after 29th February 2016 where, on the date on which the claim is made, the claimant resides in one of the No. 73 relevant districts and meets the gateway conditions;
- (pp) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 29th February 2016 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 73 relevant districts and meets the gateway conditions;
- (qq) a claim for universal credit that is made on or after 7th March 2016 in respect of a period that begins on or after 7th March 2016 where, on the date on which the claim is made, the claimant resides in one of the No. 74 relevant districts and meets the gateway conditions;
- (rr) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 7th March 2016 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 74 relevant districts and meets the gateway conditions;
- (ss) a claim for universal credit that is made on or after 14th March 2016 in respect of a period that begins on or after 14th March 2016 where, on the date on which the claim is made, the claimant resides in one of the No. 75 relevant districts and meets the gateway conditions;

- (tt) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 14th March 2016 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 75 relevant districts and meets the gateway conditions;
- (uu) a claim for universal credit that is made on or after 21st March 2016 in respect of a period that begins on or after 21st March 2016 where, on the date on which the claim is made, the claimant resides in one of the No. 76 relevant districts and meets the gateway conditions;
- (vv) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 21st March 2016 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 76 relevant districts and meets the gateway conditions;
- (ww) a claim for universal credit that is made on or after 28th March 2016 in respect of a period that begins on or after 28th March 2016 where, on the date on which the claim is made, the claimant resides in one of the No. 77 relevant districts and meets the gateway conditions;
- (xx) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 28th March 2016 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 77 relevant districts and meets the gateway conditions;
- (yy) a claim for universal credit that is made on or after 11th April 2016 in respect of a period that begins on or after 11th April 2016 where, on the date on which the claim is made, the claimant resides in one of the No. 78 relevant districts and meets the gateway conditions;
- (zz) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 11th April 2016 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 78 relevant districts and meets the gateway conditions;
- (aaa) a claim for universal credit that is made on or after 18th April 2016 in respect of a period that begins on or after 18th April 2016 where, on the date on which the claim is made, the claimant resides in one of the No. 79 relevant districts and meets the gateway conditions;
- (bbb) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 18th April 2016 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 79 relevant districts and meets the gateway conditions;
- (ccc) a claim for universal credit that is made on or after 25th April 2016 in respect of a period that begins on or after 25th April 2016 where, on the date on which the claim is made, the claimant resides in one of the No. 80 relevant districts and meets the gateway conditions;
- (ddd) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 25th April 2016 where, on the date on which the claim is made or treated as made, the claimant resides in one of the No. 80 relevant districts and meets the gateway conditions;
- (eee) a claim for universal credit that is made on or after 25th April 2016 in respect of a period that begins on or after 25th April 2016 where, on the date on which the claim is made, the claimant resides in a postcode district or part-district in England and Wales or Scotland that is not referred to by one of the UC commencement orders or in sub-paragraphs (a), (c), (e), (g), (i), (k), (m), (o), (q), (s), (u), (w), (y), (aa), (cc), (ee), (gg), (ii), (kk), (mm), (oo), (qq), (ss), (uu), (ww), (yy), (aaa) or (ccc) and meets the gateway conditions;
- (fff) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 25th April 2016 where, on the date on which the claim is made or treated as made, the claimant resides in a postcode district or part-district in England and Wales or Scotland that is not referred to by one of the UC commencement

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orders or in sub-paragraphs (b), (d), (f), (h), (j), (l), (n), (p), (r), (t), (v), (x), (z), (bb), (dd), (ff), (hh), (jj), (ll), (nn), (pp), (rr), (tt), (vv), (xx), (zz), (bbb) or (ddd) and meets the gateway conditions;

(ggg) a claim for universal credit that is made on or after the date referred to in any of sub-paragraphs (a), (c), (e), (g), (i), (k), (m), (o), (q), (s), (u), (w), (y), (aa), (cc), (ee), (gg), (ii), (kk), (mm), (oo), (qq), (ss), (uu), (ww), (yy), (aaa), (ccc) or (eee) or, in respect of a period that begins on or after that date, where—

(i) the claimant gives incorrect information regarding the claimant residing in a postcode district or part-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 part-district or does not meet the gateway conditions 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 or meeting the gateway conditions;

(hhh) a claim for an employment and support allowance or a jobseeker's allowance other than one referred to in sub-paragraphs (b), (d), (f), (h), (j), (l), (n), (p), (r), (t), (v), (x), (z), (bb), (dd), (ff), (hh), (jj), (ll), (nn), (pp), (rr), (tt), (vv), (xx), (zz), (bbb), (ddd) or (fff) that is made or treated as made during the relevant period by a claimant of universal credit who has made a claim for universal credit within this paragraph.

(3) The day appointed in relation to 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)(hhh), the “relevant period” means, in relation to a claim for universal credit within paragraph (2), 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 the sub-paragraphs (a), (c), (e), (g), (i), (k), (m), (o), (q), (s), (u), (w), (y), (aa), (cc), (ee), (gg), (ii), (kk), (mm), (oo), (qq), (ss), (uu), (ww), (yy), (aaa), (ccc), (eee) or (ggg)(i) of paragraph (2) 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), (7), (9) and (10) of article 4 of the No. 9 Order<sup>(1)</sup> 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 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).

(1) Article 4 was substituted by S.I. 2014/1452 (C. 56) and was amended by S.I. 2014/1923 (C. 88); paragraphs (9) and (10), as renumbered by article 7 of S.I. 2015/101 (C. 6), were added by S.I. 2015/32 (C. 3).

(7) Article 5(1)(a) of the No. 9 Order(2) applies for the purposes of the sub-paragraphs (relating to a claim for an employment and support allowance or a jobseeker's allowance) referred to in sub-paragraph (hhh) as it applies for the purposes of article 4(2)(a) of the No. 9 Order.

(8) 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.

**Modifications etc. (not altering text)**

- C1** Art. 4 modified (17.1.2016) by The Welfare Reform Act 2012 (Commencement No. 26 and Transitional and Transitory Provisions and Commencement No. 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2016 (S.I. 2016/33), **art. 8(3)** (with art. 8(4))
- C2** Art. 4(2)(ccc) excluded (23.11.2015) by The Welfare Reform Act 2012 (Commencement No. 25 and Transitional and Transitory Provisions) Order 2015 (S.I. 2015/1930), **art. 6(1)**
- C3** Art. 4(2)(ccc) excluded (14.1.2016) by The Welfare Reform Act 2012 (Commencement No. 26 and Transitional and Transitory Provisions and Commencement No. 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2016 (S.I. 2016/33), **art. 8(1)**
- C4** Art. 4(2)(ccc) excluded (21.3.2016) by The Welfare Reform Act 2012 (Commencement No. 27 and Transitional and Transitory Provisions and Commencement No. 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2016 (S.I. 2016/407), **art. 8(1)**
- C5** Art. 4(2)(ddd) excluded (23.11.2015) by The Welfare Reform Act 2012 (Commencement No. 25 and Transitional and Transitory Provisions) Order 2015 (S.I. 2015/1930), **art. 6(2)**
- C6** Art. 4(2)(ddd) excluded (14.1.2016) by The Welfare Reform Act 2012 (Commencement No. 26 and Transitional and Transitory Provisions and Commencement No. 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2016 (S.I. 2016/33), **art. 8(2)**
- C7** Art. 4(2)(ddd) excluded (21.3.2016) by The Welfare Reform Act 2012 (Commencement No. 27 and Transitional and Transitory Provisions and Commencement No. 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2016 (S.I. 2016/407), **art. 8(2)**

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