
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force provisions of the Welfare Reform Act 2012 (c.5) (“the Act”) that relate to universal credit (“UC”) and the abolition of income-related employment and support allowance and income-based jobseeker’s allowance, in relation to the cases set out in articles 3 and 4.

Article 3 brings into force provisions relating to UC in Part 1 of the Act (“the UC provisions”), as set out in Schedule 2 to 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 (S.I. 2013/983 (C. 41)) (“the No. 9 Order”), in relation to a number of different cases as set out below.

Under article 3(1) and (2)(a), the UC provisions come into force in relation to a claim for UC, and any award that is made in respect of the claim, where the claim is made on or after 28th January 2015 with respect to a period that begins on or after 28th January 2015 and, on the date on which the claim is made, the claimant resides in the “No. 28 relevant district” and complies with the “specified condition” (see article 2(1) for definitions of these terms).

Under article 3(1) and (2)(b), the UC provisions come into force in relation to a claim for UC, and any award that is made in respect of the claim, where the claimant claims UC on or after 28th January 2015 in respect of a period that begins on or after 28th January 2015 and provides incorrect information regarding the claimant residing in the No. 28 relevant district or meeting the specified condition, but this is only discovered once payments of UC have been made.

Under article 3(3), the day appointed for the coming into force of the UC provisions in the above cases is the first day of the period in respect of which the claim is made.

Paragraphs (4) and (5) of article 3 apply the provisions of article 3(6) (period for which a claim for universal credit is made) and article 3A (incorrect information regarding entitlement to claim universal credit) of the No. 9 Order respectively to the cases in article 3(2) of this Order.

Article 4 brings into force provisions of the Act relating to the abolition of income-related employment and support allowance and income-based jobseeker’s allowance (“the amending provisions”), in relation to a number of different cases as referred to below.

Under article 4(1) and (2)(a), the amending provisions come into force in relation to a claim for UC, and any award that is made in respect of the claim, where the claim is made on or after 28th January 2015 with respect to a period that begins on or after 28th January 2015 and, on the date on which the claim is made, the claimant resides in the No. 28 relevant district and meets the specified condition.

Under article 4(1) and (2)(b), the amending provisions come into force in relation to a claim for UC, and any award that is made in respect of the claim, where a claimant claims UC on or after 28th January 2015 in respect of a period that begins on or after 28th January 2015 and provides incorrect information regarding the claimant residing in the No. 28 relevant district or meeting the specified condition, but this is only discovered once payments of UC have been made.

Under article 4(1) and (2)(c), the amending provisions come into force in relation to a claim for an employment and support allowance (“ESA”) or a jobseeker’s allowance (“JSA”), and any award that is made in respect of the claim, where the claim is made on or after 28th January 2015 and, on the date on which the claim is made, the claimant resides in the No. 28 relevant district and meets the specified condition.

Status: This is the original version (as it was originally made).

Under article 4(1) and (2)(d), the amending provisions come into force in relation to the case of a claim for ESA or JSA where the claim is not a claim for ESA or JSA as referred to in article 4(2) (c) and where the claim is made during the “relevant period” (mainly the period when a claim for UC is being considered or an award of UC is extant).

Under article 4(3), the day appointed for the coming into force of the amending provisions in the above cases is the first day of the period in respect of which the claim is made.

Paragraphs (6) to (9) of article 4 apply the provisions of article 4(6) to (9) (matters included in the reference to the case of a claim for universal credit) and article 5(1A), (1B) (claim for ESA or JSA by a member of a couple) and (5) to (8) (when a claim for ESA or JSA is made for the purposes of the No. 9 Order and the period for which a claim for ESA, JSA or UC is made) of the No. 9 Order to the cases in article 4(2).

Article 5 provides that articles 9 to 22 of the No. 9 Order 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 article 4(2)(a), (b) or (g) of the No. 9 Order, and any award made in respect of the claim.

Article 6 contains transitional provisions that provide that, save in specified cases, a person may not make a claim for housing support, income support or a tax credit on any date where, if that person made a claim for universal credit on that date, the UC provisions would come into force in relation to the claim by virtue of article 3(1) and (2)(a) of this Order.