
STATUTORY INSTRUMENTS

2019 No. 37

The Welfare Reform Act 2012 (Commencement No. 31 and Savings and Transitional Provisions and Commencement No. 21 and 23 and Transitional and Transitory Provisions (Amendment)) Order 2019

Amendment of the No. 21 Order and the No. 23 Order: transitional provision preventing claims for housing benefit

5.—(1) The following amendments of the No. 21 Order and the No. 23 Order have effect from the day after the day of making of this Order.

(2) For article 6(3)(a) of the No. 21 Order^{M1} and article 7(4)(a) of the No. 23 Order^{M2}, substitute—

“(a) in the case of a claim for housing benefit, the claim is made by a member of a State Pension Credit Act couple who has reached the qualifying age for state pension credit, where the other member has not reached that age, and entitlement begins, or in the case of claims made in advance of entitlement is to begin—

(i) before 15th May 2019; or

(ii) on or after 15th May 2019 where one of the savings in the sub-paragraphs of article 4(1) of the Welfare Reform Act 2012 (Commencement No. 31 and Savings and Transitional Provisions and Commencement No. 21 and 23 and Transitional and Transitory Provisions (Amendment)) Order 2019 applies to that person and the saving has not ceased to have effect under article 4(2) of that Order, and

entitlement to housing benefit is to be construed in accordance with article 2 of that Order;”.

Marginal Citations

M1 There are amendments to Article 6 none of which are relevant to this Order.

M2 There are amendments and modifications to Article 7 none of which are relevant to this Order.

Changes to legislation:

The Welfare Reform Act 2012 (Commencement No. 31 and Savings and Transitional Provisions and Commencement No. 21 and 23 and Transitional and Transitory Provisions (Amendment)) Order 2019, Section 5 is up to date with all changes known to be in force on or before 02 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

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

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- [art. 4\(3\)-\(5\)](#) inserted by [S.I. 2024/604 art. 2\(2\)](#)