
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, by reference 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, as set out in Schedule 2 to the No. 9 Order (“the UC provisions”) in relation to two different cases.

The case in article 3(2)(a) relates to the making of a claim for UC on or after 25th November 2013 in respect of a period that begins on or after 25th November 2013 where a person resides in a “No. 5 relevant district” at the time that the claim is made (the “No. 5 relevant districts” are described in the Schedule). Other conditions (“Pathfinder Group conditions”) for making a claim for UC are set out in the Universal Credit (Transitional Provisions) Regulations 2013 (S.I. 2013/386).

The case in article 3(2)(b) relates to the making of a claim for UC where a person claims UC on or after 25th November 2013 in respect of a period that begins on or after 25th November 2013 and provides incorrect information as to their residence in a No. 5 relevant district, but this is only discovered once payments of UC have been made.

Under article 3(3), the day appointed for the commencement of the UC provisions in the above cases is the first day of the period in respect of which the claim is made or treated as made.

Article 3(4) and (5) applies the provisions of article 3(5) and (6) of the No. 9 Order to the cases in article 3(2) of this Order.

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

Under article 4(2)(a), the amending provisions come into force in relation to a claim for UC, an employment and support allowance (“ESA”) or a jobseeker’s allowance (“JSA”), and any award that is made in respect of the claim, where a person claims UC, ESA or JSA on or after 25th November 2013 in respect of a period that begins on or after 25th November 2013 and, at the time that the claim is made, resides in a No. 5 relevant district and meets the Pathfinder Group conditions.

Under article 4(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 person claims UC on or after 25th November 2013 in respect of a period that begins on or after 25th November 2013 and provides incorrect information as to their residence in a No. 5 relevant district, or as to their meeting the Pathfinder Group conditions, but this is only discovered once payments of UC have been made.

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 or treated as made.

Article 4(4) to (7) applies the provisions of article 4(4) and (5) and article 5 of the No. 9 Order to the cases in article 4(2).

Article 5 provides that articles 6 and 9 to 22 of the No. 9 Order apply 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 relation to the case of a claim referred to in article 4(2)(a) and (b) of the No. 9 Order, and any award made in respect of the claim.