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STATUTORY INSTRUMENTS

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**2013 No. 380**

**The Universal Credit, Personal Independence Payment,  
Jobseeker's Allowance and Employment and Support  
Allowance (Claims and Payments) Regulations 2013**

**PART 2**

**Claims**

**Date of claim for personal independence payment**

**12.**—(1) Subject to paragraph (4), where a claim for personal independence payment is made in accordance with regulation 11 the date on which the claim is made is—

- (a) in the case of a claim in writing made by means of an electronic communication in accordance with the provisions set out in Schedule 2, the date on which the claim is received at the appropriate office;
- (b) in the case of a claim made by telephone, the date on which a claim made by telephone is properly completed; or
- (c) where a person first notifies an intention to make a claim and provided that a claim made in writing produced other than by means of an electronic communication is properly completed and received at the appropriate office designated by the Secretary of State in that claimant's case within one month or such longer period as the Secretary of State considers reasonable of the date of first notification, the date of first notification,

or the first day in respect of which the claim is made if later than the above.

(2) In the case of a claim which is defective by virtue of regulation 11(3) or (4)—

- (a) subject to sub-paragraph (b) and paragraph (4), the date of claim is to be the first date on which the defective claim is received or made but is treated as properly made in the first instance in accordance with regulation 11(6);
- (b) the date of claim is to be the date of first notification of an intention to make a claim where a claim made by a person to whom paragraph (1)(c) applies is defective but is treated as properly made in the first instance in accordance with regulation 11(6).

(3) In the case of a claim which is treated as properly made by the claimant in accordance with regulation 11(8), the date on which the claim is made is the date on which it was received in the first instance.

(4) Where a further claim made by a person ("P2") in the circumstances set out in regulation 11(8) is defective and that further claim is treated as properly made in the first instance in accordance with regulation 11(6), the date of claim is to be the date on which the claim made by the person ("P1") whom the Secretary of State decided not to appoint under regulation 57 was received in the first instance.

(5) In a case where the Secretary of State decides not to award personal independence payment following a claim for it being made on behalf of another expressly on the ground of terminal illness (which has the meaning given by section 82(4) of the 2012 Act), the date of claim is to be—

- (a) the date that claim was made if a further claim, made in accordance with regulation 11, is received within one month, or such longer period as the Secretary of State may consider reasonable, from the date the Secretary of State notified the decision not to award personal independence payment on the ground of terminal illness; or
- (b) the date that claim was made where the further claim is defective but is treated as properly made in the first instance in accordance with regulation 11(6).