
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(2)(a), (c), (e), (g), (i) and (k), 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 a specified date with respect to a period that begins on or after that date and, on the date on which the claim is made, the claimant resides in a specified area and complies with the gateway conditions as set out in Schedule 5 to the No. 9 Order. The specified dates and areas are as follows—

- a) 23rd June 2014: No. 8 relevant districts (specified in Part 1 of the Schedule);
- b) 30th June 2014: No. 9 relevant districts (specified in Part 2 of the Schedule);
- c) 7th July 2014: No. 10 relevant districts (specified in Part 3 of the Schedule);
- d) 14th July 2014: No. 11 relevant districts (specified in Part 4 of the Schedule);
- e) 21st July 2014: No. 12 relevant districts (specified in Part 5 of the Schedule);
- f) 28th July 2014: No. 13 relevant districts (specified in Part 6 of the Schedule).

Under article 3(2)(b), (d), (f), (h), (j) and (l), 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 the specified date in respect of a period that begins on or after that date and provides incorrect information regarding the claimant residing in the specified area or meeting the gateway conditions, 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.

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

Article 4 brings into force provisions in the Act relating to the abolition of income-related employment and support allowance and of income-based jobseeker's allowance (“the amending provisions”), in relation to a number of different cases as referred to below. An employment and support allowance or a jobseeker's allowance to which a person is entitled under Part 1 of the Welfare Reform Act 2007 (c.5) or the Jobseekers Act 1995 (c.18) respectively, as amended by the amending provisions, and which is therefore contributory only, is referred to as “new style ESA” or “new style JSA”.

Under article 4(2)(a), (c), (e), (g), (i) and (k), 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 the claim is made on or after a specified date with respect to a period that begins on or after that date and, on the date on which the claim is made, the claimant resides in a specified area and complies with the gateway conditions (the specified dates and areas are the same as those listed above in connection with the coming into force of the UC provisions).

Under article 4(2)(b), (d), (f), (h), (j) and (l), 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

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on or after the specified date in respect of a period that begins on or after that date and provides incorrect information regarding the claimant residing in the specified area or meeting the gateway conditions, but this is only discovered once payments of UC have been made.

Under article 4(2)(m), 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 within article 4(2)(a), (c), (e), (g), (i) and (k) 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) and (7) and article 5(1) and (5) to (8) 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 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.

Changes to legislation:

There are currently no known outstanding effects for the The Welfare Reform Act 2012 (Commencement No. 17 and Transitional and Transitory Provisions) Order 2014.