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## STATUTORY INSTRUMENTS

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### 2014 No. 3094

#### The Welfare Reform Act 2012 (Commencement No. 20 and Transitional and Transitory Provisions and Commencement No. 9 and Transitional and Transitory Provisions (Amendment)) Order 2014

##### **Day appointed for the abolition of income-related employment and support allowance and income-based jobseeker's allowance**

4.—(1) The day appointed for the coming into force of the amending provisions, in relation to the case of a claim referred to in paragraph (2), and any award that is made in respect of the claim, is the day appointed in accordance with paragraph (3).

(2) The claims referred to are—

- (a) a claim for universal credit that is made on or after 26th November 2014 and before 20th December 2014 in respect of a period that begins on or after 26th November 2014 where, on the date on which the claim is made, the claimant resides in the No. 28 relevant district and meets the specified condition;
- (b) a claim for universal credit that is made on or after 26th November 2014 and before 20th December 2014, in respect of a period that begins on or after 26th November 2014 where—
  - (i) in the case of a single claimant, the claimant gives incorrect information regarding the claimant residing in the No. 28 relevant district or meeting the specified condition and the claimant does not reside in that district or does not meet the specified condition on the date on which the claim is made;
  - (ii) in the case of joint claimants, either or both of the joint claimants gives or give incorrect information regarding his or her (or their) residing in that district or meeting the specified condition and one or both of them does not or do not reside in such a district or does not or do not meet the specified condition on the date on which the claim is made,

and after a decision is made that the single claimant is, or the joint claimants are, entitled to universal credit and one or more payments have been made in respect of the single claimant or the joint claimants, the Secretary of State discovers that incorrect information has been given regarding such residence or meeting the specified condition as the case may be;

- (c) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 26th November 2014 and before 20th December 2014 where, on the date on which the claim is made or treated as made, the claimant resides in the No. 28 relevant district and meets the specified condition;
- (d) a claim for an employment and support allowance or a jobseeker's allowance other than one referred to in sub-paragraph (c) that is made or treated as made during the relevant period by a single claimant of universal credit or by either of two joint claimants of universal credit who has or have made a claim for universal credit within sub-paragraph (a) or (b).

(3) The day appointed in relation to the case of a claim referred to in paragraph (2), and any award that is made in respect of the claim, is the first day of the period in respect of which the claim is made.

*Status: Point in time view as at 21/11/2014. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the The Welfare Reform Act 2012 (Commencement No. 20 and Transitional and Transitory Provisions and Commencement No. 9 and Transitional and Transitory Provisions (Amendment)) Order 2014, Section 4. (See end of Document for details)*

(4) For the purposes of paragraph (2)(d), “relevant period” means, in relation to a claim for universal credit within paragraph (2)(a) or (b), any UC claim period, and any period subsequent to any UC claim period in respect of which the claimant is entitled to an award of universal credit in respect of the claim.

(5) For the purposes of paragraph (4), a “UC claim period” is a period when—

- (a) a claim for universal credit within sub-paragraph (a) of paragraph (2), or within sub-paragraph (b)(i) or (ii) of that paragraph, has been made but a decision has not yet been made on the claim; or
- (b) a decision has been made that the claimant is not entitled to universal credit and—
  - (i) the Secretary of State is considering whether to revise that decision under section 9 of the 1998 Act, whether on an application made for that purpose, or on the Secretary of State's own initiative; or
  - (ii) the claimant has appealed against that decision to the First-tier Tribunal and that appeal or any subsequent appeal to the Upper Tribunal or to a court has not been finally determined.

(6) Paragraphs (6) and (7) of article 4 of the No. 9 Order <sup>M1</sup> apply in relation to a claim for universal credit referred to in paragraph (2) (and any award that is made in respect of the claim) as they apply in relation to a claim for universal credit referred to in sub-paragraphs (a) and (b) of article 4(2) of the No. 9 Order (and any award that is made in respect of the claim).

(7) Paragraphs (1A) and (1B) of article 5 of the No. 9 Order <sup>M2</sup> apply for the purposes of paragraph (2)(c) as they apply for the purposes of article 4(2)(a) of the No. 9 Order (but as if the reference in paragraph (1A) to Schedule 5 of the No. 9 Order were omitted).

(8) Paragraphs (5) to (7) of article 5 of the No. 9 Order <sup>M3</sup> apply for the purposes of sub-paragraphs (c) and (d) of paragraph (2) as they apply for the purposes of sub-paragraphs (a) and (g) of article 4(2) of the No. 9 Order.

(9) Article 5(8) of the No. 9 Order applies for the purposes of paragraph (3) as it applies for the purposes of article 4(3)(a) of the No. 9 Order.

#### **Marginal Citations**

**M1** Article 4 was substituted by [S.I. 2014/1452](#) (C. 56) and amended by [S.I. 2014/1923](#) (C.88).

**M2** Article 5 was substituted by [S.I. 2014/1452](#) (C. 56) and amended by [S.I. 2014/1923](#) (C. 88); paragraphs (1) to (1B) of article 5 were inserted by [S.I. 2014/3067](#) (C.129).

**M3** Article 5(7) was amended by [S.I. 2014/1923](#) (C. 88).

**Status:**

Point in time view as at 21/11/2014. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Welfare Reform Act 2012 (Commencement No. 20 and Transitional and Transitory Provisions and Commencement No. 9 and Transitional and Transitory Provisions (Amendment)) Order 2014, Section 4.