
STATUTORY INSTRUMENTS

2016 No. 596

**The Welfare Reform Act 2012 (Commencement
No. 13, 14, 16, 19, 22, 23 and 24 and Transitional
and Transitory Provisions (Modification)) Order 2016**

Citation

1. This Order may be cited as the Welfare Reform Act 2012 (Commencement No. 13, 14, 16, 19, 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2016.

Interpretation

2.—(1) In this Order—

“the Act” means the Welfare Reform Act 2012;

“claimant”—

(a) in relation to an employment and support allowance, has the same meaning as in Part 1 of the Welfare Reform Act 2007(1);

(b) in relation to a jobseeker’s allowance, has the same meaning as in the Jobseekers Act 1995(2) (as it applies apart from the amendments made by Part 1 of Schedule 14 to the Act that remove references to an income-based jobseeker’s allowance);

(c) in relation to universal credit, has the same meaning as in Part 1 of the Act(3);

“the Claims and Payments Regulations 1987” means the Social Security (Claims and Payments) Regulations 1987(4);

“employment and support allowance” means an employment and support allowance under Part 1 of the Welfare Reform Act 2007;

“jobseeker’s allowance” means a jobseeker’s allowance under the Jobseekers Act 1995;

“the No. 9 Order” means 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(5);

“the No. 13 Order” means the Welfare Reform Act 2012 (Commencement No. 13 and Transitional and Transitory Provisions) Order 2013(6);

“the No. 14 Order” means the Welfare Reform Act 2012 (Commencement No. 14 and Transitional and Transitory Provisions) Order 2013(7);

(1) 2007 c. 5.

(2) 1995 c. 18.

(3) See section 40.

(4) S.I. 1987/1968.

(5) S.I. 2013/983 (C. 41).

(6) S.I. 2013/2657 (C. 107).

(7) S.I. 2013/2846 (C. 114).

“the No. 16 Order” means the Welfare Reform Act 2012 (Commencement No. 16 and Transitional and Transitory Provisions) Order 2014**(8)**;

“the No. 19 Order” means the Welfare Reform Act 2012 (Commencement No. 19 and Transitional and Transitory Provisions and Commencement No. 9 and Transitional and Transitory Provisions (Amendment)) Order 2014**(9)**;

“the No. 22 Order” means the Welfare Reform Act 2012 (Commencement No. 22 and Transitional and Transitory Provisions) Order 2015**(10)**;

“the No. 23 Order” means the Welfare Reform Act 2012 (Commencement No. 23 and Transitional and Transitory Provisions) Order 2015**(11)**;

“the No. 24 Order” means the Welfare Reform Act 2012 (Commencement No. 24 and Transitional and Transitory Provisions and Commencement No. 9 and Transitional and Transitory Provisions (Amendment)) Order 2015**(12)**.

(2) In this Order, references to “designated postcodes”, by numbered “Part”, are to the postcode districts and part-districts in the corresponding numbered Part of the Schedule to this Order.

(3) For the purposes of this Order, the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013**(13)** apply for the purpose of deciding—

- (a) whether a claim for universal credit is made; and
- (b) the date on which such a claim is made.

(4) For the purposes of this Order, the Claims and Payments Regulations 1987 apply, subject to paragraphs (5) and (6), for the purposes of deciding—

- (a) whether a claim for an employment and support allowance or a jobseeker’s allowance is made; and
- (b) the date on which the claim is made or treated as made.

(5) Subject to paragraph (6), for the purposes of this Order—

- (a) a person makes a claim for an employment and support allowance or a jobseeker’s allowance if he or she takes any action which results in a decision on a claim being required under the Claims and Payments Regulations 1987; and
- (b) it is irrelevant that the effect of any provision of those Regulations is that, for the purposes of those Regulations, the claim is made or treated as made at a date that is earlier than the date on which that action is taken.

(6) Where, by virtue of—

- (a) regulation 6(1F)(b) or (c) of the Claims and Payments Regulations 1987**(14)**, in the case of a claim for an employment and support allowance; or
- (b) regulation 6(4ZA) to (4ZD) and (4A)(a)(i) and (b) of those Regulations**(15)**, in the case of a claim for a jobseeker’s allowance,

a claim for an employment and support allowance or a jobseeker’s allowance is treated as made at a date that is earlier than the date on which the action referred to in paragraph (5)(a) is taken, the claim is treated as made on that earlier date.

(8) S.I. 2014/209 (C. 7).

(9) S.I. 2014/2321 (C. 99).

(10) S.I. 2015/101 (C. 6).

(11) S.I. 2015/634 (C. 32).

(12) S.I. 2015/1537 (C. 87).

(13) S.I. 2013/380.

(14) Paragraph (1F) was inserted by S.I. 2008/1554 and substituted by S.I. 2009/1490.

(15) Paragraphs (4ZA) to (4ZD) were inserted by S.I. 2000/1982 and paragraph (4ZC) was amended by S.I. 2009/1490. Paragraph (4A) was inserted by S.I. 1996/1460, substituted by S.I. 1997/793 and amended by S.I. 1999/3108, 2000/1982 and 2009/1490.

Modification of the No. 14, 16, 22 and 24 Orders: removal of the gateway conditions from 25th May 2016

3.—(1) This article applies in the case of a claim for universal credit, an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 25th May 2016.

(2) Where this article applies, the provisions referred to in sub-paragraphs (a) to (i) have effect, with respect to a claimant residing in the designated postcodes referred to in the sub-paragraph in question, as though the reference in those provisions to meeting the gateway conditions were omitted—

- (a) articles 3(2)(a) and 4(2)(a) of the No. 14 Order(**16**), in respect of the Part 1 designated postcodes;
- (b) articles 3(2)(a) and 4(2)(a) of the No. 16 Order(**17**), in respect of the Part 2 designated postcodes;
- (c) articles 3(2)(e) and 4(2)(i) and (j) of the No. 22 Order, in respect of the Part 3 designated postcodes;
- (d) articles 3(2)(f) and 4(2)(k) and (l) of the No. 22 Order, in respect of the Part 4 designated postcodes;
- (e) articles 3(2)(h) and 4(2)(o) and (p) of the No. 22 Order, in respect of the Part 5 designated postcodes;
- (f) articles 3(2)(i) and 4(2)(q) and (r) of the No. 22 Order(**18**), in respect of the Part 6 designated postcodes;
- (g) articles 3(2)(c) and 4(2)(e) and (f) of the No. 24 Order, in respect of the Part 7 designated postcode;
- (h) articles 3(2)(n) and 4(2)(aa) and (bb) of the No. 24 Order, in respect of the Part 8 designated postcodes;
- (i) articles 3(2)(bb) and 4(2)(ccc) and (ddd) of the No. 24 Order, in respect of the Part 9 designated postcodes.

Modification of the No. 13, 14, 16, 22 and 24 Orders: removal of the gateway conditions from 29th June 2016

4.—(1) This article applies in the case of a claim for universal credit, an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 29th June 2016.

(2) Where this article applies, the provisions referred to in sub-paragraphs (a) to (f) have effect, with respect to a claimant residing in the designated postcodes referred to in the sub-paragraph in question, as though the reference in those provisions to meeting the gateway conditions were omitted—

- (a) articles 3(2)(a) and 4(2)(a) of the No. 13 Order(**19**), in respect of the Part 10 designated postcodes;
- (b) articles 3(2)(a) and 4(2)(a) of the No. 14 Order, in respect of the Part 11 designated postcodes;

(16) Articles 3(2) and 4 were substituted by S.I. 2014/1452 (C. 56) so as to include reference to meeting the gateway conditions; article 4(2)(a) was amended by S.I. 2014/1923 (C. 88).

(17) Articles 3(2) and 4 were substituted by S.I. 2014/1452 (C. 56) so as to include reference to meeting the gateway conditions; article 4(2)(a) was amended by S.I. 2014/1923 (C. 88).

(18) Articles 3(2)(i) and 4(2)(q) and (r) were modified by S.I. 2016/33 (C. 3) and 407 (C. 20).

(19) Articles 3(2) and 4 were substituted by S.I. 2014/1452 (C. 56) so as to include reference to meeting the gateway conditions; article 4(2)(a) was amended by S.I. 2014/1923 (C. 88).

- (c) articles 3(2)(a) and 4(2)(a) of the No. 16 Order, in respect of the Part 12 designated postcodes;
- (d) articles 3(2)(a) and 4(2)(a) and (b) of the No. 22 Order, in respect of the Part 13 designated postcodes;
- (e) articles 3(2)(k) and 4(2)(u) and (v) of the No. 22 Order, in respect of the Part 14 designated postcodes;
- (f) articles 3(2)(a) and 4(2)(a) and (b) of the No. 24 Order, in respect of the Part 15 designated postcode.

Modification of the No. 13, 19 and 22 Orders: removal of the gateway conditions from 27th July 2016

5.—(1) This article applies in the case of a claim for universal credit, an employment and support allowance or a jobseeker’s allowance that is made or treated as made on or after 27th July 2016.

(2) Where this article applies, the provisions referred to in sub-paragraphs (a) to (d) have effect, with respect to a claimant residing in the designated postcodes referred to in the sub-paragraph in question, as though the reference in those provisions to meeting the gateway conditions were omitted—

- (a) articles 3(2)(a) and 4(2)(a) of the No. 13 Order, in respect of the Part 16 designated postcodes;
- (b) articles 3(2)(j) and 4(2)(j) of the No. 19 Order, in respect of the Part 17 designated postcodes;
- (c) articles 3(2)(m) and 4(2)(m) of the No. 19 Order, in respect of the Part 18 designated postcodes;
- (d) articles 3(2)(e) and 4(2)(i) and (j) of the No. 22 Order, in respect of the Part 19 designated postcodes.

Modifications in consequence of removal of the gateway conditions: the No. 13 Order

6.—(1) This article applies in the case of a claim in relation to which provisions of the No. 13 Order are modified under articles 4(2)(a) or 5(2)(a).

(2) Where this article applies, the No. 13 Order has effect as though—

- (a) in article 2(1) (interpretation), the definition of “gateway conditions” were omitted⁽²⁰⁾;
- (b) in article 3(2)(b) (coming into force of the universal credit provisions and incorrect information)⁽²¹⁾—
 - (i) in paragraph (i), “or meeting the gateway conditions” and “or does not meet the gateway conditions” were omitted;
 - (ii) in paragraph (ii), “or meeting the gateway conditions” and “or does not or do not meet those conditions” were omitted;
 - (iii) in paragraph (iii), “or meeting the gateway conditions” were omitted;
- (c) in article 3(6) (article 3A of the No. 9 Order and incorrect information)⁽²²⁾, “or meeting the gateway conditions” were omitted in both places it occurs;
- (d) in article 4(2)(b) (abolition of income-related employment and support allowance and income-based jobseeker’s allowance and incorrect information)⁽²³⁾—

⁽²⁰⁾ The definition was inserted by S.I. 2014/1452 (C. 56) and substituted by S.I. 2014/1661 (C. 69) and 1923 (C. 88).

⁽²¹⁾ Sub-paragraph (b) was substituted by S.I. 2014/1661 (C. 69).

⁽²²⁾ Inserted by S.I. 2014/1452 (C. 56) and substituted by S.I. 2014/1661 (C. 69) and 1923 (C. 88).

⁽²³⁾ Sub-paragraph (b) was substituted by S.I. 2014/1661 (C. 69).

- (i) in paragraph (i), “or meeting the gateway conditions” and “or does not meet the gateway conditions” were omitted;
 - (ii) in paragraph (ii), “or meeting those conditions” and “or does not or do not meet those conditions” were omitted;
 - (iii) in paragraph (iii), “or meeting the gateway conditions” were omitted; and
- (e) for article 4(7) (claims by couples)(24) there were substituted—

“(7) Paragraphs (1A) and (1B) of article 5 of the No. 9 Order apply for the purposes of paragraph (2)(a) as they apply for the purposes of article 4(2)(a) of the No. 9 Order (but as if the references in paragraph (1A) to Schedule 5 to the No. 9 Order were omitted).”.

Modifications in consequence of removal of the gateway conditions: the No. 14 Order

7.—(1) This article applies in the case of a claim in relation to which provisions of the No. 14 Order are modified under articles 3(2)(a) or 4(2)(b).

(2) Where this article applies, the No. 14 Order has effect as though—

- (a) in article 2(1) (interpretation), the definition of “gateway conditions” were omitted(25);
 - (b) in article 3(2)(b) (coming into force of the universal credit provisions and incorrect information)(26)—
 - (i) in paragraph (i), “or meeting the gateway conditions” and “or does not meet the gateway conditions” were omitted;
 - (ii) in paragraph (ii), “or meeting the gateway conditions” and “or does not or do not meet those conditions” were omitted;
 - (iii) in paragraph (iii), “or meeting the gateway conditions” were omitted;
 - (c) in article 3(6) (article 3A of the No. 9 Order and incorrect information)(27), “or meeting the gateway conditions” were omitted in both places it occurs;
 - (d) in article 4(2)(b) (abolition of income-related employment and support allowance and income-based jobseeker’s allowance and incorrect information)(28)—
 - (i) in paragraph (i), “or meeting the gateway conditions” and “or does not meet the gateway conditions” were omitted;
 - (ii) in paragraph (ii), “or meeting those conditions” and “or does not or do not meet those conditions” were omitted;
 - (iii) in paragraph (iii), “or meeting the gateway conditions” were omitted; and
- (e) for article 4(7) (claims by couples)(29) there were substituted—

“(7) Paragraphs (1A) and (1B) of article 5 of the No. 9 Order apply for the purposes of paragraph (2)(a) as they apply for the purposes of article 4(2)(a) of the No. 9 Order (but as if the references in paragraph (1A) to Schedule 5 to the No. 9 Order were omitted).”.

Modifications in consequence of removal of the gateway conditions: the No. 16 Order

8.—(1) This article applies in the case of a claim in relation to which provisions of the No. 16 Order are modified under articles 3(2)(b) or 4(2)(c).

(24) Paragraph (7) was substituted by S.I. 2014/1661 (C. 69), 1923 (C. 88) and 3067 (C. 129).

(25) The definition was inserted by S.I. 2014/1452 (C. 56) and substituted by S.I. 2014/1661 (C. 69) and 1923 (C. 88).

(26) Sub-paragraph (b) was substituted by S.I. 2014/1661 (C. 69).

(27) Inserted by S.I. 2014/1452 (C. 56) and substituted by S.I. 2014/1661 (C. 69) and 1923 (C. 88).

(28) Sub-paragraph (b) was substituted by S.I. 2014/1661 (C. 69).

(29) Paragraph (7) was substituted by S.I. 2014/1661 (C. 69), 1923 (C. 88) and 3067 (C. 129).

- (2) Where this article applies, the No. 16 Order has effect as though—
- (a) in article 2(1) (interpretation), the definition of “gateway conditions” were omitted⁽³⁰⁾;
 - (b) in article 3(2)(b) (coming into force of the universal credit provisions and incorrect information)⁽³¹⁾—
 - (i) in paragraph (i), “or meeting the gateway conditions” and “or does not meet the gateway conditions” were omitted;
 - (ii) in paragraph (ii), “or meeting the gateway conditions” and “or does not or do not meet those conditions” were omitted;
 - (iii) in paragraph (iii), “or meeting the gateway conditions” were omitted;
 - (c) in article 3(6) (article 3A of the No. 9 Order and incorrect information)⁽³²⁾—
 - (i) “or a No. 7” were omitted;
 - (ii) “or meeting the gateway conditions” were omitted in both places it occurs;
 - (d) in article 4(2)(b) (abolition of income-related employment and support allowance and income-based jobseeker’s allowance and incorrect information)⁽³³⁾—
 - (i) in paragraph (i), “or meeting the gateway conditions” and “or does not meet the gateway conditions” were omitted;
 - (ii) in paragraph (ii), “or meeting those conditions” and “or does not or do not meet those conditions” were omitted;
 - (iii) in paragraph (iii), “or meeting the gateway conditions” were omitted; and
 - (e) for article 4(7) (claims by couples)⁽³⁴⁾ there were substituted—

“(7) Paragraphs (1A) and (1B) of article 5 of the No. 9 Order apply for the purposes of paragraph (2)(a) as they apply for the purposes of article 4(2)(a) of the No. 9 Order (but as if the references in paragraph (1A) to Schedule 5 to the No. 9 Order were omitted).”.

Modifications in consequence of removal of the gateway conditions: the No. 19 Order

9.—(1) This article applies in the case of a claim in relation to which provisions of the No. 19 Order are modified under article 5(2)(b) or (c).

- (2) Where this article applies, the No. 19 Order has effect as though—
- (a) in article 2(1) (interpretation), the definition of “gateway conditions” were omitted;
 - (b) in article 3(2)(o) (coming into force of the universal credit provisions and incorrect information)—
 - (i) for “any of sub-paragraphs (a) to (n)” there were substituted “sub-paragraph (j) or (m)”;
 - (ii) in paragraph (i), “or meeting the gateway conditions” and “or does not meet the gateway conditions” were omitted;
 - (iii) in paragraph (ii), “or meeting the gateway conditions” and “or does not or do not meet those conditions” were omitted;
 - (iv) in the words after paragraph (ii), “or meeting the gateway conditions” were omitted;
 - (c) in article 3(5) (article 3A of the No. 9 Order and incorrect information)—

⁽³⁰⁾ The definition was inserted by S.I. 2014/1452 (C. 56) and substituted by S.I. 2014/1661 (C. 69) and 1923 (C. 88).

⁽³¹⁾ Sub-paragraph (b) was substituted by S.I. 2014/1661 (C. 69).

⁽³²⁾ Inserted by S.I. 2014/1452 (C. 56) and substituted by S.I. 2014/1661 (C. 69) and 1923 (C. 88).

⁽³³⁾ Sub-paragraph (b) was substituted by S.I. 2014/1661 (C. 69).

⁽³⁴⁾ Paragraph (7) was substituted by S.I. 2014/1661 (C. 69), 1923 (C. 88) and 3067 (C. 129).

- (i) for “No. 14, No. 15, No. 16, No. 17, No. 18, No. 19, No. 20, No. 21, No. 22, No. 23, No. 24, No. 25, No. 26 or No. 27” there were substituted “No. 23 or No. 26”;
- (ii) “or meeting the gateway conditions” were omitted in both places it occurs;
- (d) in article 4(2)(o) (abolition of income-related employment and support allowance and income-based jobseeker’s allowance and incorrect information)—
 - (i) for “any of sub-paragraphs (a) to (n)” there were substituted “sub-paragraph (j) or (m)”;
 - (ii) in paragraph (i), “or meeting the gateway conditions” and “or does not meet the gateway conditions” were omitted;
 - (iii) in paragraph (ii), “or meeting the gateway conditions” and “or does not or do not meet those conditions” were omitted;
 - (iv) in the words after paragraph (ii), “or meeting the gateway conditions” were omitted; and
- (e) for article 4(7) (claims by couples)(35) there were substituted—

“(7) Paragraphs (1A) and (1B) of article 5 of the No. 9 Order apply for the purposes of [F1sub-paragraphs (j) and (m) of paragraph (2)] as they apply for the purposes of article 4(2)(a) of the No. 9 Order (but as if the references in paragraph (1A) to Schedule 5 to the No. 9 Order were omitted).”.

F1 Words in art. 9(2)(e) substituted (30.9.2016) by [The Welfare Reform Act 2012 \(Commencement No. 19, 22, 23 and 24 and Transitional and Transitory Provisions \(Modification\)\) Order 2016 \(S.I. 2016/963\)](#), [art. 17](#)

Modifications in consequence of removal of the gateway conditions: the No. 22 Order

10.—(1) This article applies in the case of a claim in relation to which provisions of the No. 22 Order are modified under articles 3(2)(c), (d), (e) or (f), 4(2)(d) or (e) or 5(2)(d).

- (2) Where this article applies, the No. 22 Order has effect as though—
 - (a) in article 2(1) (interpretation), for the definition of “claimant” there were substituted—

““claimant”—

 - (a) in relation to an employment and support allowance, has the same meaning as in Part 1 of the Welfare Reform Act 2007, save as mentioned in article 5(1A) of the No. 9 Order as applied by article 4(7) of this Order;
 - (b) in relation to a jobseeker’s allowance, has the same meaning as in the Jobseekers Act 1995 (as it applies apart from the amendments made by Part 1 of Schedule 14 to the Act that remove references to an income-based jobseeker’s allowance), save as mentioned in article 5(1A) of the No. 9 Order as applied by article 4(7) of this Order;
 - (c) in relation to universal credit, has the same meaning as in Part 1 of the Act;”;
 - (b) paragraphs (2) and (4) of article 2 (definition of, and amendments to, the “gateway conditions”) were omitted;
 - (c) for article 3(2)(v) there were substituted—

“(v) a claim for universal credit that is made on or after the date referred to in sub-paragraph (a), (e), (f), (h), (i) or (k), in respect of a period that begins on or after that date where—

(i) in the case of a single claimant, the claimant gives incorrect information regarding the claimant residing in a district as referred to in the sub-paragraph in question and the claimant does not reside in such a district 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 such a district and one or both of them does not or do not reside in such a district 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 residence.”;

(d) for article 3(5) there were substituted—

“(5) Article 3A of the No. 9 Order applies in connection with a claim for universal credit where a single claimant, or, as the case may be, either or both of joint claimants, gives or give incorrect information regarding his or her (or their) residing in one of the No. 29, No. 33, No. 34, No. 36, No. 37 or No. 39 relevant districts, as it applies in connection with the giving of incorrect information regarding a claimant residing in one of the relevant districts (as defined in the No. 9 Order).”;

(e) for article 4(2)(qq) there were substituted—

“(qq) a claim for universal credit that is made on or after the date referred to in sub-paragraph (a), (i), (k), (o), (q) or (u), in respect of a period that begins on or after that date where—

(i) in the case of a single claimant, the claimant gives incorrect information regarding the claimant residing in a district as referred to in the sub-paragraph in question and the claimant does not reside in such a district 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 such a district and one or both of them does not or do not reside in such a district 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 residence;”;

(f) for article 4(7) (claims by couples) there were substituted—

“(7) Paragraphs (1A) and (1B) of article 5 of the No. 9 Order apply for the purposes of sub-paragraphs (b), (j), (l), (p), (r) and (v) of paragraph (2) as they apply for the purposes of article 4(2)(a) of the No. 9 Order (but as if the references in paragraph (1A) to Schedule 5 to the No. 9 Order were omitted).”.

Modifications in consequence of removal of the gateway conditions: the No. 24 Order

11.—(1) This article applies in the case of a claim in relation to which provisions of the No. 24 Order are modified under articles 3(2)(g), (h) or (i) or 4(2)(f).

- (2) Where this article applies, the No. 24 Order has effect as though—
- (a) in article 2(1) (interpretation)—
- (i) for the definition of “claimant” there were substituted—
- ““claimant”—
- (a) in relation to an employment and support allowance, has the same meaning as in Part 1 of the Welfare Reform Act 2007, save as mentioned in article 5(1A) of the No. 9 Order as applied by article 4(7) of this Order;
- (b) in relation to a jobseeker’s allowance, has the same meaning as in the Jobseekers Act 1995 (as it applies apart from the amendments made by Part 1 of Schedule 14 to the Act that remove references to an income-based jobseeker’s allowance), save as mentioned in article 5(1A) of the No. 9 Order as applied by article 4(7) of this Order;
- (c) in relation to universal credit, has the same meaning as in Part 1 of the Act.”;
- (ii) the definition of “gateway conditions” were omitted;
- (b) article 2(3) (amendments to the gateway conditions) were omitted;
- (c) for article 3(2)(dd) there were substituted—
- “(dd) a claim for universal credit that is made on or after the date referred to in sub-paragraph (a), (c), (n) or (bb), in respect of a period that begins on or after that date where—
- (i) in the case of a single claimant, the claimant gives incorrect information regarding the claimant residing in a district as referred to in the sub-paragraph in question and the claimant does not reside in such a district 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 such a district and one or both of them does not or do not reside in such a district 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 residence.”;
- (d) for article 3(5) there were substituted—
- “(5) Article 3A of the No. 9 Order applies in connection with a claim for universal credit where a single claimant, or, as the case may be, either or both of joint claimants, gives or give incorrect information regarding his or her (or their) residing in one of the No. 53, No. 55, No. 66 or No. 80 relevant districts, as it applies in connection with the giving of incorrect information regarding a claimant residing in one of the relevant districts (as defined in the No. 9 Order).”;
- (e) for article 4(2)(ggg) there were substituted—
- “(ggg) a claim for universal credit that is made on or after the date referred to in sub-paragraph (a), (e), (aa) or (ccc), in respect of a period that begins on or after that date where—
- (i) in the case of a single claimant, the claimant gives incorrect information regarding the claimant residing in a district as referred to in the sub-paragraph in question and the claimant does not reside in such a district 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 such a district and one or both of them does not or do not reside in such a district 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 residence;” and

(f) for article 4(7) (claims by couples) there were substituted—

“(7) Paragraphs (1A) and (1B) of article 5 of the No. 9 Order apply for the purposes of sub-paragraphs (b), (f), (bb) and (ddd) of paragraph (2) as they apply for the purposes of article 4(2)(a) of the No. 9 Order (but as if the references in paragraph (1A) to Schedule 5 to the No. 9 Order were omitted).”.

Modification of the No. 23 Order: claims for housing benefit, income support or a tax credit

12. Article 7 of the No. 23 Order (prevention of claims for housing benefit, income support or a tax credit)⁽³⁶⁾ applies as though the reference in paragraph (1) of that article to article 3(1) and (2)(a) to (c) of that Order included—

- (a) a reference to paragraph (1) and sub-paragraph (a) of paragraph (2) of article 3 of the No. 13 Order, in respect of claims in relation to which sub-paragraph (a) is modified by articles 4(2)(a) and 5(2)(a) of this Order;
- (b) a reference to paragraph (1) and sub-paragraph (a) of paragraph (2) of article 3 of the No. 14 Order, in respect of claims in relation to which sub-paragraph (a) is modified by articles 3(2)(a) and 4(2)(b) of this Order;
- (c) a reference to paragraph (1) and sub-paragraph (a) of paragraph (2) of article 3 of the No. 16 Order, in respect of claims in relation to which sub-paragraph (a) is modified by articles 3(2)(b) and 4(2)(c) of this Order;
- (d) a reference to paragraph (1) and sub-paragraphs (j) and (m) of paragraph (2) of article 3 of the No. 19 Order, in respect of claims in relation to which sub-paragraphs (j) and (m) are modified respectively by article 5(2)(b) and (c) of this Order;
- (e) a reference to paragraph (1) and sub-paragraphs (a), (f), (h), (i) and (k) of paragraph (2) of article 3 of the No. 22 Order, in respect of claims in relation to which those sub-paragraphs are modified respectively by articles 4(2)(d), 3(2)(d), (e) and (f) and 4(2)(e) of this Order;
- (f) a reference to paragraph (1) and sub-paragraph (e) of paragraph (2) of article 3 of the No. 22 Order, in respect of claims in relation to which sub-paragraph (e) is modified by articles 3(2)(c) and 5(2)(d) of this Order; and
- (g) a reference to paragraph (1) and sub-paragraphs (a), (c), (n) and (bb) of paragraph (2) of article 3 of the No. 24 Order, in respect of claims in relation to which those sub-paragraphs are modified respectively by articles 4(2)(f) and 3(2)(g), (h) and (i) of this Order.

⁽³⁶⁾ Paragraphs (1) and (10)(b) of article 7 were amended by [S.I. 2015/740 \(C. 39\)](#); paragraph (1) was modified by [S.I. 2015/1930 \(C. 118\)](#), [2016/33 \(C. 3\)](#) and [407 \(C. 20\)](#).

Changes to legislation: *There are currently no known outstanding effects for the The Welfare Reform Act 2012 (Commencement No. 13, 14, 16, 19, 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2016. (See end of Document for details)*

Signed by authority of the Secretary of State for Work and Pensions

Freud
Minister of State,
Department for Work and Pensions

Changes to legislation:

There are currently no known outstanding effects for the The Welfare Reform Act 2012 (Commencement No. 13, 14, 16, 19, 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2016.