
STATUTORY INSTRUMENTS

2016 No. 963

**The Welfare Reform Act 2012 (Commencement
No. 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. 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. 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⁽⁶⁾;

“the No. 22 Order” means the Welfare Reform Act 2012 (Commencement No. 22 and Transitional and Transitory Provisions) Order 2015⁽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. 2014/2321 (C. 99).

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

“the No. 23 Order” means the Welfare Reform Act 2012 (Commencement No. 23 and Transitional and Transitory Provisions) Order 2015(8);

“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(9).

(2) In this Order, references to “designated postcodes”, by numbered “Part”, are to any postcode district or part-district 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(10) apply for the purpose of deciding—

- (a) whether a claim for universal credit is made; and
- (b) the date on which the 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(11), 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(12), 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.

Modification of the No. 19 and 24 Orders: removal of the gateway conditions from 5th October 2016

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

(2) Where this article applies, the provisions referred to in sub-paragraphs (a) and (b) have effect, with respect to a claimant residing in the designated postcodes referred to in the sub-paragraph

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

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

(10) S.I. 2013/380.

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

(12) 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.

in question, as though the reference in those provisions to meeting the gateway conditions were omitted—

- (a) articles 3(2)(j) and 4(2)(j) of the No. 19 Order(13), in respect of the Part 1 designated postcodes;
- (b) articles 3(2)(r) and 4(2)(ii) and (jj) of the No. 24 Order, in respect of the Part 2 designated postcodes.

Modification of the No. 22 and 24 Orders: removal of the gateway conditions from 12th October 2016

4.—(1) This article applies in the case of a claim for universal credit that is made, or a claim for an employment and support allowance or a jobseeker’s allowance that is made or treated as made, on or after 12th October 2016.

(2) Where this article applies, the provisions referred to in sub-paragraphs (a) to (g) 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) and (b) of the No. 22 Order(14), in respect of the Part 3 designated postcodes;
- (b) articles 3(2)(h) and 4(2)(o) and (p) of the No. 22 Order(15), in respect of the Part 4 designated postcodes;
- (c) articles 3(2)(k) and 4(2)(u) and (v) of the No. 22 Order(16), in respect of the Part 5 designated postcodes;
- (d) articles 3(2)(h) and 4(2)(o) and (p) of the No. 24 Order, in respect of the Part 6 designated postcodes;
- (e) articles 3(2)(j) and 4(2)(s) and (t) of the No. 24 Order, in respect of the Part 7 designated postcodes;
- (f) articles 3(2)(k) and 4(2)(u) and (v) of the No. 24 Order, in respect of the Part 8 designated postcodes;
- (g) articles 3(2)(r) and 4(2)(ii) and (jj) of the No. 24 Order, in respect of the Part 9 designated postcodes.

Modification of the No. 24 Order: removal of the gateway conditions from 19th October 2016

5.—(1) This article applies in the case of a claim for universal credit that is made, or a claim for an employment and support allowance or a jobseeker’s allowance that is made or treated as made, on or after 19th October 2016.

(2) Where this article applies, articles 3(2)(r) and 4(2)(ii) and (jj) of the No. 24 Order have effect, with respect to a claimant residing in the Part 10 designated postcodes, as though the reference in those provisions to meeting the gateway conditions were omitted.

(13) Articles 3(2)(j) and 4(2)(j) were modified by S.I. 2016/596 (C. 41).

(14) Articles 3(2)(a) and 4(2)(a) and (b) were modified by S.I. 2016/596 (C. 41).

(15) Articles 3(2)(h) and 4(2)(o) and (p) were modified by S.I. 2016/596 (C. 41).

(16) Articles 3(2)(k) and 4(2)(u) and (v) were modified by S.I. 2016/596 (C. 41).

Modification of the No. 22 and 24 Orders: removal of the gateway conditions from 26th October 2016

6.—(1) This article applies in the case of a claim for universal credit that is made, or a claim for an employment and support allowance or a jobseeker’s allowance that is made or treated as made, on or after 26th October 2016.

(2) Where this article applies, the provisions referred to in sub-paragraphs (a) to (c) 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)(h) and 4(2)(o) and (p) of the No. 22 Order, in respect of the Part 11 designated postcodes;
- (b) articles 3(2)(e) and 4(2)(i) and (j) of the No. 24 Order, in respect of the Part 12 designated postcodes;
- (c) articles 3(2)(h) and 4(2)(o) and (p) of the No. 24 Order, in respect of the Part 13 designated postcodes.

Modification of the No. 19, 22 and 24 Orders: removal of the gateway conditions from 2nd November 2016

7.—(1) This article applies in the case of a claim for universal credit that is made, or a claim for an employment and support allowance or a jobseeker’s allowance that is made or treated as made, on or after 2nd November 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)(n) and 4(2)(n) of the No. 19 Order, in respect of the Part 14 designated postcodes;
- (b) articles 3(2)(b) and 4(2)(c) and (d) of the No. 22 Order, in respect of the Part 15 designated postcodes;
- (c) articles 3(2)(j) and 4(2)(s) and (t) of the No. 24 Order, in respect of the Part 16 designated postcodes;
- (d) articles 3(2)(m) and 4(2)(y) and (z) of the No. 24 Order, in respect of the Part 17 designated postcodes.

Modification of the No. 19, 22 and 24 Orders: removal of the gateway conditions from 9th November 2016

8.—(1) This article applies in the case of a claim for universal credit that is made, or a claim for an employment and support allowance or a jobseeker’s allowance that is made or treated as made, on or after 9th November 2016.

(2) Where this article applies, the provisions referred to in sub-paragraphs (a) to (e) 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)(n) and 4(2)(n) of the No. 19 Order, in respect of the Part 18 designated postcodes;
- (b) articles 3(2)(b) and 4(2)(c) and (d) of the No. 22 Order, in respect of the Part 19 designated postcodes;

- (c) articles 3(2)(f) and 4(2)(k) and (l) of the No. 22 Order⁽¹⁷⁾, in respect of the Part 20 designated postcodes;
- (d) articles 3(2)(r) and 4(2)(ii) and (jj) of the No. 24 Order, in respect of the Part 21 designated postcodes;
- (e) articles 3(2)(s) and 4(2)(kk) and (ll) of the No. 24 Order, in respect of the Part 22 designated postcodes.

Modification of the No. 22 and 24 Orders: removal of the gateway conditions from 23rd November 2016

9.—(1) This article applies in the case of a claim for universal credit that is made, or a claim for an employment and support allowance or a jobseeker’s allowance that is made or treated as made, on or after 23rd November 2016.

(2) Where this article applies, the provisions referred to in sub-paragraphs (a) to (c) 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) and (b) of the No. 22 Order, in respect of the Part 23 designated postcodes;
- (b) articles 3(2)(t) and 4(2)(mm) and (nn) of the No. 22 Order⁽¹⁸⁾, in respect of the Part 24 designated postcodes;
- (c) articles 3(2)(d) and 4(2)(g) and (h) of the No. 24 Order, in respect of the Part 25 designated postcodes.

Modification of the No. 22 and 24 Orders: removal of the gateway conditions from 30th November 2016

10.—(1) This article applies in the case of a claim for universal credit that is made, or a claim for an employment and support allowance or a jobseeker’s allowance that is made or treated as made, on or after 30th November 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) and (b) of the No. 22 Order, in respect of the Part 26 designated postcodes;
- (b) articles 3(2)(b) and 4(2)(c) and (d) of the No. 22 Order, in respect of the Part 27 designated postcodes;
- (c) articles 3(2)(e) and 4(2)(i) and (j) of the No. 22 Order⁽¹⁹⁾, in respect of the Part 28 designated postcodes;
- (d) articles 3(2)(p) and 4(2)(ee) and (ff) of the No. 24 Order, in respect of the Part 29 designated postcodes.

⁽¹⁷⁾ Articles 3(2)(f) and 4(2)(k) and (l) were modified by [S.I. 2016/596 \(C. 41\)](#).

⁽¹⁸⁾ Articles 3(2)(t) and 4(2)(mm) and (nn) were modified by [S.I. 2016/33 \(C. 3\)](#).

⁽¹⁹⁾ Articles 3(2)(e) and 4(2)(i) and (j) were modified by [S.I. 2016/596 \(C. 41\)](#).

Modification of the No. 22 and 24 Orders: removal of the gateway conditions from 7th December 2016

11.—(1) This article applies in the case of a claim for universal credit that is made, or a claim for an employment and support allowance or a jobseeker’s allowance that is made or treated as made, on or after 7th December 2016.

(2) Where this article applies, the provisions referred to in sub-paragraphs (a) to (g) 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) and (b) of the No. 22 Order, in respect of the Part 30 designated postcodes;
- (b) articles 3(2)(b) and 4(2)(c) and (d) of the No. 22 Order, in respect of the Part 31 designated postcodes;
- (c) articles 3(2)(a) and 4(2)(a) and (b) of the No. 24 Order⁽²⁰⁾, in respect of the Part 32 designated postcodes;
- (d) articles 3(2)(c) and 4(2)(e) and (f) of the No. 24 Order⁽²¹⁾, in respect of the Part 33 designated postcodes;
- (e) articles 3(2)(d) and 4(2)(g) and (h) of the No. 24 Order, in respect of the Part 34 designated postcodes;
- (f) articles 3(2)(h) and 4(2)(o) and (p) of the No. 24 Order, in respect of the Part 35 designated postcodes;
- (g) articles 3(2)(r) and 4(2)(ii) and (jj) of the No. 24 Order, in respect of the Part 36 designated postcodes.

Modification of the No. 22 and 24 Orders: removal of the gateway conditions from 14th December 2016

12.—(1) This article applies in the case of a claim for universal credit that is made, or a claim for an employment and support allowance or a jobseeker’s allowance that is made or treated as made, on or after 14th December 2016.

(2) Where this article applies, the provisions referred to in sub-paragraphs (a) to (g) 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) and (b) of the No. 22 Order, in respect of the Part 37 designated postcodes;
- (b) articles 3(2)(e) and 4(2)(i) and (j) of the No. 22 Order, in respect of the Part 38 designated postcodes;
- (c) articles 3(2)(h) and 4(2)(o) and (p) of the No. 22 Order, in respect of the Part 39 designated postcodes;
- (d) articles 3(2)(j) and 4(2)(s) and (t) of the No. 22 Order, in respect of the Part 40 designated postcodes;
- (e) articles 3(2)(n) and 4(2)(aa) and (bb) of the No. 22 Order, in respect of the Part 41 designated postcodes;

⁽²⁰⁾ Articles 3(2)(a) and 4(2)(a) and (b) were modified by [S.I. 2016/596 \(C. 41\)](#).

⁽²¹⁾ Articles 3(2)(c) and 4(2)(e) and (f) were modified by [S.I. 2016/596 \(C. 41\)](#).

- (f) articles 3(2)(d) and 4(2)(g) and (h) of the No. 24 Order, in respect of the Part 42 designated postcodes;
- (g) articles 3(2)(p) and 4(2)(ee) and (ff) of the No. 24 Order, in respect of the Part 43 designated postcodes.

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

13.—(1) This article applies in the case of a claim in relation to which provisions of the No. 19 Order are modified under articles 3(2)(a), 7(2)(a) or 8(2)(a).

- (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) in the opening words, for “any of sub-paragraphs (a) to (n)” there were substituted “the relevant preceding sub-paragraph”;
 - (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 closing words, “or meeting the gateway conditions” were omitted;
 - (c) in article 3(5) (article 3A of the No. 9 Order and incorrect information)—
 - (i) for the text from “No. 14” to “No. 27 relevant district” there were substituted “numbered relevant district referred to in paragraph (2)”;
 - (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) in the opening words, for “any of sub-paragraphs (a) to (n)” there were substituted “the relevant preceding sub-paragraph”;
 - (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 closing words, “or meeting the gateway conditions” were omitted; and
 - (e) for article 4(7) (claims by couples)(**22**) there were substituted—

“(7) Paragraphs (1A) and (1B) of article 5 of the No. 9 Order apply for the purposes of sub-paragraphs (a) to (n) 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. 22 Order

14.—(1) This article applies in the case of a claim in relation to which provisions of the No. 22 Order are modified under—

- (a) article 4(2)(a), (b) or (c);
- (b) article 6(2)(a);

(22) Substituted by [S.I. 2014/3067 \(C. 129\)](#).

- (c) article 7(2)(b);
 - (d) article 8(2)(b) or (c);
 - (e) article 9(2)(a) or (b);
 - (f) article 10(2)(a), (b) or (c);
 - (g) article 11(2)(a) or (b); or
 - (h) article 12(2)(a), (b), (c), (d) or (e).
- (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) (coming into force of the universal credit provisions and incorrect information) there were substituted—
 - “(v) a claim for universal credit that is made on or after the date referred to in the relevant preceding sub-paragraph, 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) (article 3A of the No. 9 Order and incorrect information) 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 a numbered relevant district referred to in paragraph (2), 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) (abolition of income-related employment and support allowance and income-based jobseeker's allowance and incorrect information) there were substituted—

“(qq) a claim for universal credit that is made on or after the date referred to in the relevant preceding sub-paragraph, 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 the sub-paragraphs referred to in sub-paragraph (rr) 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

15.—(1) This article applies in the case of a claim in relation to which provisions of the No. 24 Order are modified under—

- (a) article 3(2)(b);
- (b) article 4(2)(d), (e), (f) or (g);
- (c) article 5(2);
- (d) article 6(2)(b) or (c);
- (e) article 7(2)(c) or (d);
- (f) article 8(2)(d) or (e);
- (g) article 9(2)(c);
- (h) article 10(2)(d);
- (i) article 11(2)(c), (d), (e), (f) or (g); or
- (j) article 12(2)(f) or (g).

(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) (coming into force of the universal credit provisions and incorrect information) there were substituted—
 - “(dd) a claim for universal credit that is made on or after the date referred to in the relevant preceding sub-paragraph, 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) (article 3A of the No. 9 Order and incorrect information) 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 a numbered relevant district referred to in paragraph (2), 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) (abolition of income-related employment and support allowance and income-based jobseeker's allowance and incorrect information) there were substituted—
 - “(ggg) a claim for universal credit that is made on or after the date referred to in the relevant preceding sub-paragraph, 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 the sub-paragraphs referred to in sub-paragraph (hhh) 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

16. Article 7 of the No. 23 Order (prevention of claims for housing benefit, income support or a tax credit)(23) 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 (j) of paragraph (2) of article 3 of the No. 19 Order, in respect of claims in relation to which sub-paragraph (j) is modified by article 3(2)(a) of this Order;
- (b) a reference to paragraph (1) and sub-paragraph (n) of paragraph (2) of article 3 of the No. 19 Order, in respect of claims in relation to which sub-paragraph (n) is modified by articles 7(2)(a) and 8(2)(a) of this Order;
- (c) a reference to paragraph (1) and sub-paragraphs (f), (j), (k), (n) and (t) 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 8(2)(c), 12(2)(d), 4(2)(c), 12(2)(e) and 9(2)(b) of this Order;
- (d) a reference to paragraph (1) and sub-paragraphs (a), (b), (e) and (h) 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)(a), 9(2)(a), 10(2)(a), 11(2)(a) and 12(2)(a), articles 7(2)(b), 8(2)(b), 10(2)(b) and 11(2)(b), articles 10(2)(c) and 12(2)(b) and articles 4(2)(b), 6(2)(a) and 12(2)(c) of this Order;
- (e) a reference to paragraph (1) and sub-paragraphs (a), (c), (e), (k), (m) and (s) 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 11(2)(c), 11(2)(d), 6(2)(b), 4(2)(f), 7(2)(d) and 8(2)(e) of this Order; and
- (f) a reference to paragraph (1) and sub-paragraphs (d), (h), (j), (p) and (r) 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 9(2)(c), 11(2)(e) and 12(2)(f), articles 4(2)(d), 6(2)(c) and 11(2)(f), articles 4(2)(e) and 7(2)(c), articles 10(2)(d) and 12(2)(g) and articles 3(2)(b), 4(2)(g), 5(2), 8(2)(d), and 11(2)(g) of this Order.

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

17.—(1) With effect from the day after the date of making of this Order, article 9 of the Welfare Reform Act 2012 (Commencement No. 13, 14, 16, 19, 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2016 (consequential modifications of the No. 19 Order)(24) is amended as follows.

(2) In the text substituted by paragraph (2)(e), for “paragraph (2)(a)” substitute “sub-paragraphs (j) and (m) of paragraph (2)”.

(23) 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 \(C. 3\)](#), [407 \(C. 20\)](#) and [596 \(C. 41\)](#).

(24) [S.I. 2016/596 \(C. 41\)](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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

29th September 2016

Richard Harrington
Parliamentary Under Secretary of State,
Department for Work and Pensions