
EXPLANATORY NOTE

(This note is not part of the Order)

This Order modifies a series of prior Orders (the “prior commencement Orders”, defined below) bringing into force provisions of the Welfare Reform Act 2012 (c. 5) (“the Act”) relating to universal credit (“UC”) and the abolition of income-related employment and support allowance and income-based jobseeker’s allowance. Those prior commencement Orders are:

- (a) 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 (S.I. 2014/2321 (C. 99));
- (b) the Welfare Reform Act 2012 (Commencement No. 22 and Transitional and Transitory Provisions) Order 2015 (S.I. 2015/101 (C. 6) (“the No. 22 Order”)); and
- (c) 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 (S.I. 2015/1537 (C. 87) (“the No. 24 Order”).

Articles 3 and 4 of each of the prior commencement Orders brought into force respectively 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”), and provisions of the Act relating to the abolition of income-related employment and support allowance and income-based jobseeker’s allowance (“the amending provisions”).

The modifications to the provisions of articles 3(2) and 4(2) of the prior commencement Orders by paragraph (2) of articles 3 to 9 of this Order remove the restrictions on claiming UC included in the prior commencement Orders (“the gateway conditions”, set out in Schedule 5 to the No. 9 Order) so that they do not apply to the specified provisions of articles 3(2) and 4(2) of the prior commencement Orders for the coming into force of the UC provisions and the amending provisions in the postcode districts and part-districts specified.

Articles 3 to 9 of this Order apply where claims are made (as the case may be) for universal credit, an employment and support allowance or a jobseeker’s allowance on or after: 3rd, 10th, 17th and 24th May 2017; 7th, 14th and 28th June 2017, respectively; and by reference to residence in one of the designated postcodes in the corresponding Part of the Schedule to this Order. See article 2(2) for the definition of these postcodes.

Articles 10 to 12 of this Order make consequential modifications to a number of similar provisions in each of the prior commencement Orders to remove references to meeting the gateway conditions. By virtue of the gateway conditions no longer applying, claims by couples will become possible for the first time in certain of the designated postcodes, those for which the UC provisions were commenced under the No. 22 Order and the No. 24 Order for single UC claimants only. The consequential modifications by articles 11 and 12 to those Orders also make provision for claims by couples.

Article 13 modifies article 7 of the Welfare Reform Act 2012 (Commencement No. 23 and Transitional and Transitory Provisions) Order 2015 (S.I. 2015/634 (C. 32)) such that, save in specified cases, a person may not make a claim for housing benefit, income support or a tax credit on any date where, if that person made a claim for UC on that date, the UC provisions would come into force by virtue of any of the sub-paragraphs of article 3(2) of the prior commencement Orders modified by paragraph (2) of articles 3 to 9 of this Order.