
STATUTORY INSTRUMENTS

2014 No. 1452

**The Welfare Reform Act 2012 (Commencement
No. 9, 11, 13, 14 and 16 and Transitional and
Transitory Provisions (Amendment)) Order 2014**

PART 1

CITATION, INTERPRETATION AND APPLICATION

Amendment of the No. 9, 11, 13, 14 and 16 Orders: cases to which the amendments apply

3.—(1) This article applies in relation to a case where—

- (a) a claim is made for universal credit, an employment and support allowance or a jobseeker's allowance and, on the date on which the claim is made, the claimant resides in one of the specified districts;
- (b) a claim for universal credit is made where—
 - (i) the claimant gives incorrect information regarding the claimant residing in a specified district and does not reside in such a district on the date on which the claim is made; and
 - (ii) after a decision is made that the claimant is entitled to universal credit and one or more payments have been made in respect of the claimant, the Secretary of State discovers that incorrect information regarding residence has been given;
- (c) a claim for universal credit is treated as made by a couple in the circumstances referred to in regulation 9(8) of the Claims and Payments Regulations 2013 (claims for universal credit by members of a couple);
- (d) a claim for universal credit is made by a former member of a couple who is not exempt from the requirement to make a claim by virtue of regulation 9(6) of the Claims and Payments Regulations 2013 (claims for universal credit by members of a couple), whether or not the claim is made jointly with another person, where the claim is made during the period of one month starting with the date on which notification is given to the Secretary of State that the claimants have ceased to be a couple;
- (e) an award of universal credit is made without a claim in the circumstances referred to in regulation 6(1) or (2) of the Claims and Payments Regulations 2013 (claims not required for entitlement to universal credit in some cases); or
- (f) an award of universal credit is made without a claim in the circumstances referred to in regulation 9(6), (7) or (10) of the Claims and Payments Regulations 2013 (claims for universal credit by members of a couple),

and the claim is made or treated as made, or, as the case may be, the award is made without a claim, on or after 16th June 2014.

(2) This article also applies in relation to a case where a claim for an employment and support allowance or a jobseeker's allowance, that does not fall within paragraph (1)(a), is made—

- (a) during the relevant period by a single claimant of universal credit or, in the case of joint claimants of universal credit, by either of the joint claimants, where the single claimant has made or the joint claimants have made, or been treated as having made, a claim for universal credit within paragraph (1)(a) to (d);
 - (b) during the relevant period by a single claimant of universal credit or, in the case of joint claimants of universal credit, by either of the joint claimants, where the single claimant has been awarded, or the joint claimants have been awarded, universal credit without a claim within paragraph (1)(e) or (f);
 - (c) by a person who is entitled to make a claim for universal credit in the circumstances referred to in paragraph (1)(d) but has not yet done so; or
 - (d) by a person who may be entitled to an award of universal credit in the circumstances referred to in paragraph (1)(e) or (f) but where no decision has yet been made as to the person's entitlement.
- (3) For the purposes of paragraph (2), "relevant period" means—
- (a) in relation to a claim for universal credit within paragraph (1)(a) to (d), any UC claim period, and any period subsequent to any UC claim period in respect of which the single claimant or the joint claimants is or are entitled to an award of universal credit in respect of the claim;
 - (b) in relation to an award of universal credit within paragraph (1)(e) or (f), any period when the single claimant or the joint claimants to whom the award was made is or are entitled to the award.
- (4) For the purposes of paragraph (3)(a), a "UC claim period" is a period when—
- (a) a claim for universal credit within paragraph (1)(a), (b)(i) or (d) has been made but a decision has not yet been made on the claim;
 - (b) a claim for universal credit within paragraph (1)(c) has been treated as made and no decision has yet been made as to the joint claimants' entitlement; or
 - (c) a decision has been made that a single claimant or joint claimants is or are not entitled to universal credit and—
 - (i) the Secretary of State is considering whether to revise that decision under section 9 of the Social Security Act 1998, whether on an application made for that purpose, or on the Secretary of State's own initiative; or
 - (ii) the single claimant or the joint claimants has or have 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.
- (5) Subject to paragraph (6), for the purposes of paragraphs (1)(a) and (2), the Claims and Payments Regulations 1987 apply for the purpose 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 is to be treated as made.
- (6) For the purposes of paragraph (2)—
- (a) a person makes a claim for an employment and support allowance or a jobseeker's allowance if they take any action which results in a decision on a claim being required under the Claims and Payments Regulations 1987; and
 - (b) except as provided in paragraph (7), it is irrelevant that the effect of any provision of the Claims and Payments Regulations 1987 is that, for the purposes of those Regulations, the claim is not made or treated as made during the relevant period or at a time referred to in paragraph (2)(c) or (d).

(7) The following provisions of the Claims and Payments Regulations 1987 apply for the purpose of deciding whether or not a claim for an employment and support allowance or a jobseeker's allowance is made or is to be treated as made during the relevant period or at a time referred to in paragraph (2)(c) or (d)—

- (a) regulation 6(1F)(b) or (c); and
- (b) regulation 6(4ZA) to (4ZD) and (4A)(a)(i) and (b).

(8) For the purposes of this article, “specified districts” means the relevant districts, No. 2 relevant districts, No. 3 relevant districts, No. 4 relevant districts, No. 5 relevant districts, No. 6 relevant districts and No. 7 relevant districts.