
STATUTORY INSTRUMENTS

2014 No. 1661

The Welfare Reform Act 2012 (Commencement No. 9, 11, 13 14, 16 and 17 and Transitional and Transitory Provisions (Amendment)) Order 2014

Amendment of the No. 9 Order

4.—(1) With effect from 30th June 2014, in article 2(1) of the No. 9 Order⁽¹⁾, for “joint claimant” substitute “joint claimants”.

(2) Where article 3 applies, the No. 9 Order is amended as set out in paragraphs (3) and (4).

(3) For paragraph (1) of article (3A) (incorrect information regarding residence in a relevant district or meeting the gateway conditions)⁽²⁾ substitute—

“(1) This article applies where a claim for universal credit is made and it is subsequently discovered that the claimant gave incorrect information regarding his or her residing in a relevant district or meeting the gateway conditions and the conditions referred to in paragraph (1A) are met.

(1A) The conditions referred to are that, on the date on which the claim was made, the claimant—

- (a) did not reside in a relevant district (unless paragraph (1B) applies); or
- (b) did reside in a relevant district and did not meet the gateway conditions.

(1B) This paragraph applies where the claimant resided in an area apart from the relevant districts with respect to which the provisions of the Act referred to in Schedule 2 to the No. 9 Order were in force in relation to a claim for universal credit and the conditions (if any) that applied to such a claim, for those provisions to come into force, were met.”.

(4) In Schedule 5 (the gateway conditions)⁽³⁾—

(a) in paragraph 1(b) (personal characteristics), at the end insert “(where that expression has the meaning given by section 40 of the Act)”;

(b) in paragraph 3 (existing benefits)—

(i) for paragraphs (a) to (c) of sub-paragraph (1) substitute—

- “(a) old style ESA;
- (b) old style JSA;
- (c) income support;”;

(ii) omit sub-paragraph (2);

(iii) in sub-paragraph (3), for paragraph (a) substitute—

“(a) a decision on a claim for—

- (i) any benefit mentioned in sub-paragraph (1)(a) to (c);

⁽¹⁾ Article 2(1) was amended by [S.I. 2014/1452 \(C.56\)](#).

⁽²⁾ Article 3A was inserted by [S.I. 2014/1452 \(C.56\)](#).

⁽³⁾ Schedule 5 was inserted by [S.I. 2014/1452 \(C.56\)](#).

- (ii) a tax credit; or
 - (iii) housing benefit;”; and
 - (iv) omit sub-paragraphs (5) and (6);
 - (c) in paragraph 4 (income and capital), for sub-paragraphs (1) and (2) substitute—
 - “(1) The claimant must declare that, during the period of one month starting with the date on which the claim for universal credit is made, the claimant’s earned income is expected not to exceed £330.
 - (2) The claimant’s capital must not exceed £6,000.”;
 - (d) in paragraph 6(2)(a) (caring responsibilities), for “two weeks” substitute “two months”;
 - (e) in paragraph 7 (other requirements)—
 - (i) for sub-paragraph (a) substitute—
 - “(a) must not be carrying on a trade, profession or vocation in respect of which he or she receives self-employed earnings (within the meaning of regulation 57 of the Universal Credit Regulations) and must declare that he or she does not expect to carry on such a trade, profession or vocation during the period of one month starting with the date on which the claim for universal credit is made;”;
 - (ii) at the end insert—
 - “;
 - (f) must not be—
 - (i) a company director, within the meaning of the Companies Act 2006(4); or
 - (ii) a member of a limited liability partnership, within the meaning of the Limited Liability Partnerships Act 2000(5).”;
 - (f) in paragraph 8 (declarations), for “Any” substitute “A”.
- (5) Where article 3 applies (save where the contrary intention is expressed), in the No. 11, No. 13, No. 14, No. 16 and No. 17 Orders, any reference to article 3A of, or Schedule 5 to, the No. 9 Order is a reference to that article or Schedule as amended by paragraphs (3) and (4).

(4) 2006 c.46.
(5) 2000 c.12.