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STATUTORY INSTRUMENTS

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**2015 No. 33**

**The Welfare Reform Act 2012 (Commencement No. 21  
and Transitional and Transitory Provisions) Order 2015**

**Day appointed for the abolition of income-related employment and support allowance and income-based jobseeker's allowance**

4.—(1) The day appointed for the coming into force of the amending provisions, in relation to the case of a claim referred to in paragraph (2), and any award that is made in respect of the claim, is the day appointed in accordance with paragraph (3).

(2) The claims referred to are—

- (a) a claim for universal credit that is made on or after 28th January 2015 in respect of a period that begins on or after 28th January 2015 where, on the date on which the claim is made, the claimant resides in the No. 28 relevant district<sup>F1</sup>...;
- (b) a claim for universal credit that is made on or after 28th January 2015 in respect of a period that begins on or after 28th January 2015 where—
  - (i) in the case of a single claimant, the claimant gives incorrect information regarding the claimant residing in the No. 28 relevant district<sup>F2</sup>... and the claimant does not reside in that district<sup>F2</sup>... 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 that district<sup>F3</sup>... and one or both of them does not or do not reside in that district<sup>F3</sup>... 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 such residence<sup>F4</sup>...;

- (c) a claim for an employment and support allowance or a jobseeker's allowance that is made or treated as made on or after 28th January 2015 where, on the date on which the claim is made or treated as made, the claimant resides in the No. 28 relevant district<sup>F5</sup>...;
- (d) a claim for an employment and support allowance or a jobseeker's allowance other than one referred to in sub-paragraph (c) that is made or treated as made during the relevant period by a single claimant of universal credit or by either of two joint claimants of universal credit who has or have made a claim for universal credit within sub-paragraph (a) or (b).

(3) The day appointed in relation to the case of a claim referred to in paragraph (2), and any award that is made in respect of the claim, is the first day of the period in respect of which the claim is made.

(4) For the purposes of paragraph (2)(d), “relevant period” means, in relation to a claim for universal credit within paragraph (2)(a) or (b), any UC claim period, and any period subsequent to any UC claim period in respect of which the claimant is entitled to an award of universal credit in respect of the claim.

- (5) For the purposes of paragraph (4), a “UC claim period” is a period when—
- (a) a claim for universal credit within sub-paragraph (a) of paragraph (2), or within sub-paragraph (b)(i) or (ii) of that paragraph, has been made but a decision has not yet been made on the claim; or
  - (b) a decision has been made that the claimant is not entitled to universal credit and—
    - (i) the Secretary of State is considering whether to revise that decision under section 9 of the 1998 Act, whether on an application made for that purpose, or on the Secretary of State’s own initiative; or
    - (ii) the claimant has 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.
- (6) [<sup>F6</sup>Paragraphs (6), (7), (9) and (10)] of article 4 of the No. 9 Order(1) apply in relation to a claim for universal credit referred to in paragraph (2) (and any award that is made in respect of the claim) as they apply in relation to a claim for universal credit referred to in sub-paragraphs (a) and (b) of article 4(2) of the No. 9 Order (and any award that is made in respect of the claim).
- (7) Paragraphs (1A) and (1B) of article 5 of the No. 9 Order(2) apply for the purposes of paragraph (2)(c) 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).
- (8) Paragraphs (5) to (7) of article 5 of the No. 9 Order(3) apply for the purposes of sub-paragraphs (c) and (d) of paragraph (2) as they apply for the purposes of sub-paragraphs (a) and (g) of article 4(2) of the No. 9 Order.
- (9) Article 5(8) of the No. 9 Order applies for the purposes of paragraph (3) as it applies for the purposes of article 4(3)(a) of the No. 9 Order.

- F1** Words in art. 4(2)(a) omitted (10.6.2015) by virtue of [The Welfare Reform Act 2012 \(Commencement No. 23 and Transitional and Transitory Provisions\) Order 2015 \(S.I. 2015/634\)](#), [art. 9\(1\)\(4\)\(a\)](#)
- F2** Words in art. 4(2)(b)(i) omitted (10.6.2015) by virtue of [The Welfare Reform Act 2012 \(Commencement No. 23 and Transitional and Transitory Provisions\) Order 2015 \(S.I. 2015/634\)](#), [art. 9\(1\)\(4\)\(b\)\(i\)](#)
- F3** Words in art. 4(2)(b)(ii) omitted (10.6.2015) by virtue of [The Welfare Reform Act 2012 \(Commencement No. 23 and Transitional and Transitory Provisions\) Order 2015 \(S.I. 2015/634\)](#), [art. 9\(1\)\(4\)\(b\)\(ii\)](#)
- F4** Words in art. 4(2)(b) omitted (10.6.2015) by virtue of [The Welfare Reform Act 2012 \(Commencement No. 23 and Transitional and Transitory Provisions\) Order 2015 \(S.I. 2015/634\)](#), [art. 9\(1\)\(4\)\(b\)\(iii\)](#)
- F5** Words in art. 4(2)(c) omitted (10.6.2015) by virtue of [The Welfare Reform Act 2012 \(Commencement No. 23 and Transitional and Transitory Provisions\) Order 2015 \(S.I. 2015/634\)](#), [art. 9\(1\)\(4\)\(a\)](#)
- F6** Words in art. 4(6) substituted (11.2.2015) by [The Welfare Reform Act 2012 \(Commencement No. 22 and Transitional and Transitory Provisions\) Order 2015 \(S.I. 2015/101\)](#), [art. 7\(2\)\(b\)](#)

**Modifications etc. (not altering text)**

- C1** [Art. 4](#) modified (22.7.2020) by [The Universal Credit \(Managed Migration Pilot and Miscellaneous Amendments\) Regulations 2019 \(S.I. 2019/1152\)](#), regs. 1(3), [5\(1\)](#) (with reg. 5(2)); as amended (4.8.2020) by [The Universal Credit \(Managed Migration Pilot and Miscellaneous Amendments\) \(Amendment\) Regulations 2020 \(S.I. 2020/826\)](#), regs. 1, [2\(2\)](#)

(1) Paragraphs (8) and (9) of article 4 were inserted by [S.I. 2015/32 \(C. 3\)](#).  
 (2) Article 5 was substituted by [S.I. 2014/1452 \(C. 56\)](#) and amended by [S.I. 2014/1923 \(C. 88\)](#); paragraphs (1) to (1B) of article 5 were inserted by [S.I. 2014/3067 \(C.129\)](#).  
 (3) Paragraphs (5) to (7) of article 5 were substituted by [S.I. 2015/32 \(C. 3\)](#).

**Commencement Information**

**II** Art. 4 in force at made date

**Changes to legislation:**

There are currently no known outstanding effects for the The Welfare Reform Act 2012 (Commencement No. 21 and Transitional and Transitory Provisions) Order 2015, Section 4.