
STATUTORY INSTRUMENTS

2018 No. 138

The Welfare Reform Act 2012 (Commencement No. 9, 21 and 23 (Amendment), Commencement No. 11, 13, 17, 19, 22, 23 and 24 (Modification), Transitional and Transitory Provisions) Order 2018

Amendment of the No. 9 Order: removal of the gateway conditions

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 7th March 2018, where it is made by reference to the claimant’s residence in one of the relevant districts, as defined in the No. 9 Order⁽¹⁾.

(2) Where this article applies, the No. 9 Order⁽²⁾ is amended as follows—

- (a) in article 2(1) (interpretation), omit the definition of “gateway conditions”⁽³⁾;
- (b) in article 3(3)(a) (coming into force of the universal credit provisions)⁽⁴⁾, omit “and meets the gateway conditions”;
- (c) in article 3(3)(b) (coming into force of the universal credit provisions and incorrect information)⁽⁵⁾—
 - (i) in paragraph (i), omit “or meeting the gateway conditions” and “or does not meet the gateway conditions”;
 - (ii) in paragraph (ii), omit “or meeting the gateway conditions” and “or does not or do not meet those conditions”;
 - (iii) in paragraph (iii), omit “or meeting the gateway conditions”;
- (d) in the title of article 3A (incorrect information: general provisions)⁽⁶⁾, omit “or meeting the gateway conditions”;
- (e) in article 3A(1), for the text from “or meeting the” to “are met” substitute “and the condition referred to in paragraph (2) is met”;
- (f) for article 3A(2), substitute—

“(2) The condition referred to is that, on the date on which the claim was made, the claimant did not reside in one of the relevant districts (unless paragraph (3) applies).”;
- (g) for article 4(2)(a) (abolition of income-related employment and support allowance and income-based jobseeker’s allowance)⁽⁷⁾, substitute—

(1) These are the postcode districts M43, OL6, OL7 and SK16 (see Schedule 1 to the No. 9 Order).

(2) Relevant amendments were made by S.I. 2014/1452 (C. 56), 1661 (C. 69), 1923 (C. 88) and 3067 (C. 129) and 2015/32 (C. 3) and 1537 (C. 87).

(3) The definition of gateway conditions was inserted by S.I. 2014/1452 (C. 56).

(4) Article 3(3) was substituted by S.I. 2014/1452 (C. 56).

(5) Sub-paragraph (b) of article 3(3) was substituted by S.I. 2014/1923 (C. 88).

(6) Article 3A was inserted by S.I. 2014/1452 (C. 56), amended by S.I. 2014/1661 (C. 69) and substituted by S.I. 2014/1923 (C. 88).

(7) Article 4 was substituted by S.I. 2014/1452 (C. 56).

- “(a) a claim for universal credit, an employment and support allowance or a jobseeker’s allowance where, on the date on which the claim is made or treated as made, the claimant resides in one of the relevant districts;”
- (h) in article 4(2)(b) (abolition of income-related employment and support allowance and income-based jobseeker’s allowance and incorrect information)(**8**)—
- (i) in paragraph (i), omit “or meeting the gateway conditions” and “or does not meet the gateway conditions”;
- (ii) in paragraph (ii), omit “or meeting those conditions” and “or does not or do not meet those conditions”;
- (iii) in paragraph (iii), omit “or meeting the gateway conditions”;
- (i) in article 5 (provisions that apply in connection with the abolition of income-related employment and support allowance and income-based jobseeker’s allowance)(**9**), omit paragraph (1);
- (j) in article 5(1A), omit “or Schedule 5 (save in paragraph 4 of that Schedule)”(**10**); and
- (k) omit Schedule 5 (the gateway conditions)(**11**).

(8) Sub-paragraph (b) was substituted by S.I. 2014/1923 (C. 88).

(9) Article 5 was substituted by S.I. 2014/1452 (C. 56). Paragraph (1) was substituted by S.I. 2014/1923 (C. 88) and 3067 (C. 129).

(10) Paragraph (1A) was substituted by S.I. 2014/3067 (C. 129).

(11) Schedule 5 was inserted by S.I. 2014/1452 (C. 56) and relevant amendments were made by S.I. 2014/1452 (C. 56), 1661 (C. 69), 1923 (C. 88) and 3067 (C. 129) and 2015/32 (C. 3) and 1537 (C. 87).