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STATUTORY INSTRUMENTS

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**2019 No. 37**

**The Welfare Reform Act 2012 (Commencement No. 31 and Savings and Transitional Provisions and Commencement No. 21 and 23 and Transitional and Transitory Provisions (Amendment)) Order 2019**

**Amendment of the No. 21 Order and the No. 23 Order: transitional provision preventing claims for housing benefit**

5.—(1) The following amendments of the No. 21 Order and the No. 23 Order have effect from the day after the day of making of this Order.

(2) For article 6(3)(a) of the No. 21 Order<sup>M1</sup> and article 7(4)(a) of the No. 23 Order<sup>M2</sup>, substitute—

“(a) in the case of a claim for housing benefit, the claim is made by a member of a State Pension Credit Act couple who has reached the qualifying age for state pension credit, where the other member has not reached that age, and entitlement begins, or in the case of claims made in advance of entitlement is to begin—

(i) before 15th May 2019; or

(ii) on or after 15th May 2019 where one of the savings in the sub-paragraphs of article 4(1) of the Welfare Reform Act 2012 (Commencement No. 31 and Savings and Transitional Provisions and Commencement No. 21 and 23 and Transitional and Transitory Provisions (Amendment)) Order 2019 applies to that person and the saving has not ceased to have effect under article 4(2) of that Order, and

entitlement to housing benefit is to be construed in accordance with article 2 of that Order;”.

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**Marginal Citations**

**M1** There are amendments to Article 6 none of which are relevant to this Order.

**M2** There are amendments and modifications to Article 7 none of which are relevant to this Order.

**Changes to legislation:**

There are currently no known outstanding effects for the The Welfare Reform Act 2012 (Commencement No. 31 and Savings and Transitional Provisions and Commencement No. 21 and 23 and Transitional and Transitory Provisions (Amendment)) Order 2019, Section 5.