STATUTORY INSTRUMENTS

2017 No. 664 (C. 56)

SOCIAL SECURITY

The Welfare Reform Act 2012 (Commencement No. 29 and Commencement No. 17, 19, 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2017

Made - - - - 19th May 2017

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by section 150(3) and (4)(a), (b)(i) and (c) of the Welfare Reform Act 2012(**1**):

Citation

1. This Order may be cited as the Welfare Reform Act 2012 (Commencement No. 29 and Commencement No. 17, 19, 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2017.

Interpretation

2.—(1) In this Order—

"claimant"—

(a) in relation to an employment and support allowance, has the same meaning as in Part 1 of the Welfare Reform Act 2007(**2**);

(b) in relation to a jobseeker's allowance, has the same meaning as in the Jobseekers Act 1995(**3**) (as it applies apart from the amendments made by Part 1 of Schedule 14 to the Welfare Reform Act 2012 that remove references to an income-based jobseeker's allowance);

(c) in relation to universal credit, has the same meaning as in Part 1 of the Welfare Reform Act 2012(**4**);

"the Claims and Payments Regulations 1987" means the Social Security (Claims and Payments) Regulations 1987(**5**);

(**1**) 2012 c. 5.
(**2**) 2007 c. 5.
(**3**) 1995 c. 18.
(**4**) *See* section 40.
(**5**) S.I. 1987/1968.

"employment and support allowance" means an employment and support allowance under Part 1 of the Welfare Reform Act 2007;

"jobseeker's allowance" means a jobseeker's allowance under the Jobseekers Act 1995;

"the No. 17 Order" means the Welfare Reform Act 2012 (Commencement No. 17 and Transitional and Transitory Provisions) Order 2014(**6**);

"the No. 19 Order" means the Welfare Reform Act 2012 (Commencement No. 19 and Transitional and Transitory Provisions and Commencement No. 9 and Transitional and Transitory Provisions (Amendment)) Order 2014(**7**);

"the No. 22 Order" means the Welfare Reform Act 2012 (Commencement No. 22 and Transitional and Transitory Provisions) Order 2015(**8**);

"the No. 23 Order" means the Welfare Reform Act 2012 (Commencement No. 23 and Transitional and Transitory Provisions) Order 2015(**9**);

"the No. 24 Order" means the Welfare Reform Act 2012 (Commencement No. 24 and Transitional and Transitory Provisions and Commencement No. 9 and Transitional and Transitory Provisions (Amendment)) Order 2015(**10**);

"the September 2016 Order" means the Welfare Reform Act 2012 (Commencement No. 19, 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2016(**11**).

(2) In this Order, references to "designated postcodes", by numbered "Part", are to any postcode district or part-district in the corresponding numbered Part of the Schedule to this Order.

(3) For the purposes of this Order, the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013(**12**) apply for the purpose of deciding—

(a) whether a claim for universal credit is made; and

(b) the date on which the claim is made.

(4) For the purposes of this Order, the Claims and Payments Regulations 1987 apply, subject to paragraphs (5) and (6), for the purposes 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 treated as made.

(5) Subject to paragraph (6), for the purposes of this Order—

(a) a person makes a claim for an employment and support allowance or a jobseeker's allowance if that person takes any action which results in a decision on a claim being required under the Claims and Payments Regulations 1987; and

(b) it is irrelevant that the effect of any provision of those Regulations is that, for the purposes of those Regulations, the claim is made or treated as made at a date that is earlier than the date on which that action is taken.

(6) Where, by virtue of—

(a) regulation 6(1F)(b) or (c) of the Claims and Payments Regulations 1987(**13**), in the case of a claim for an employment and support allowance; or

(**6**) S.I. 2014/1583 (C. 61).
(**7**) S.I. 2014/2321 (C. 99).
(**8**) S.I. 2015/101 (C. 6).
(**9**) S.I. 2015/634 (C. 32).
(**10**) S.I. 2015/1537 (C. 87).
(**11**) S.I. 2016/963.
(**12**) S.I. 2013/380.
(**13**) Paragraph (1F) was inserted by S.I. 2008/1554 and substituted by S.I. 2009/1490.

(b) regulation 6(4ZA) to (4ZD) and (4A)(a)(i) and (b) of those Regulations(**14**), in the case of a claim for a jobseeker's allowance,

a claim for an employment and support allowance or a jobseeker's allowance is treated as made at a date that is earlier than the date on which the action referred to in paragraph (5)(a) is taken, the claim is treated as made on that earlier date.

Modification of the No. 22 and 24 Orders: removal of the gateway conditions from 5th July 2017

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 5th July 2017.

(2) Where this article applies, the provisions referred to in sub-paragraphs (a) to (l) have effect, with respect to a claimant residing in the relevant designated postcodes, as though the reference in those provisions to meeting the gateway conditions were omitted—

(a) articles 3(2)(a) and 4(2)(a) and (b) of the No. 22 Order(**15**), in respect of the Part 1 designated postcodes;

(b) articles 3(2)(c) and 4(2)(e) and (f) of the No. 22 Order(**16**), in respect of the Part 2 designated postcodes;

(c) articles 3(2)(f) and 4(2)(k) and (l) of the No. 22 Order(**17**), in respect of the Part 3 designated postcodes;

(d) articles 3(2)(g) and 4(2)(m) and (n) of the No. 22 Order, in respect of the Part 4 designated postcodes;

(e) articles 3(2)(l) and 4(2)(w) and (x) of the No. 22 Order, in respect of the Part 5 designated postcodes;

(f) articles 3(2)(t) and 4(2)(mm) and (nn) of the No. 22 Order(**18**), in respect of the Part 6 designated postcodes;

(g) articles 3(2)(a) and 4(2)(a) and (b) of the No. 24 Order(**19**), in respect of the Part 7 designated postcodes;

(h) articles 3(2)(f) and 4(2)(k) and (l) of the No. 24 Order(**20**), in respect of the Part 8 designated postcodes;

(i) articles 3(2)(i) and 4(2)(q) and (r) of the No. 24 Order(**21**), in respect of the Part 9 designated postcodes;

(j) articles 3(2)(l) and 4(2)(w) and (x) of the No. 24 Order(**22**), in respect of the Part 10 designated postcodes;

(k) articles 3(2)(aa) and 4(2)(aaa) and (bbb) of the No. 24 Order, in respect of the Part 11 designated postcodes;

(l) articles 3(2)(bb) and 4(2)(ccc) and (ddd) of the No. 24 Order(**23**), in respect of the Part 12 designated postcodes.

(**14**) Paragraphs (4ZA) to (4ZD) were inserted by S.I. 2000/1982 and paragraph (4ZC) was amended by S.I. 2009/1490. Paragraph (4A) was inserted by S.I. 1996/1460, substituted by S.I. 1997/793 and amended by S.I. 1999/3108, 2000/1982 and 2009/1490.
(**15**) Articles 3(2)(a) and 4(2)(a) and (b) were modified by S.I. 2016/596 (C. 41) and 963 and 2017/584 (C. 53).
(**16**) Articles 3(2)(c) and 4(2)(e) and (f) were modified by S.I. 2017/57 (C. 5) and 584 (C. 53).
(**17**) Articles 3(2)(f) and 4(2)(k) and (l) were modified by S.I. 2016/596 (C. 41) and 963 and 2017/57 (C. 5).
(**18**) Articles 3(2)(t) and 4(2)(mm) and (nn) were modified by S.I. 2016/963 and 2017/57 (C. 5).
(**19**) Articles 3(2)(a) and 4(2)(a) and (b) were modified by S.I. 2016/596 (C. 41) and 963 and 2017/57 (C. 5) and 584 (C. 53).
(**20**) Articles 3(2)(f) and 4(2)(k) and (l) were modified by S.I. 2017/584 (C. 53).
(**21**) Articles 3(2)(i) and 4(2)(q) and (r) were modified by S.I. 2017/584 (C. 53).
(**22**) Articles 3(2)(l) and 4(2)(w) and (x) were modified by S.I. 2017/57 (C. 5) and 584 (C. 53).
(**23**) Articles 3(2)(bb) and 4(2)(ccc) and (ddd) were modified by S.I. 2016/596 (C. 41) and 2017/584 (C. 53).

Modification of the No. 22 and 24 Orders: removal of the gateway conditions from 12th July 2017

4.—(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 12th July 2017.

(2) Where this article applies, the provisions referred to in sub-paragraphs (a) to (i) have effect, with respect to a claimant residing in the relevant designated postcodes, as though the reference in those provisions to meeting the gateway conditions were omitted—

(a) articles 3(2)(a) and 4(2)(a) and (b) of the No. 22 Order, in respect of the Part 13 designated postcodes;

(b) articles 3(2)(e) and 4(2)(i) and (j) of the No. 22 Order(**24**), in respect of the Part 14 designated postcodes;

(c) articles 3(2)(g) and 4(2)(m) and (n) of the No. 22 Order, in respect of the Part 15 designated postcodes;

(d) articles 3(2)(h) and 4(2)(o) and (p) of the No. 22 Order(**25**), in respect of the Part 16 designated postcodes;

(e) articles 3(2)(j) and 4(2)(s) and (t) of the No. 22 Order(**26**), in respect of the Part 17 designated postcodes;

(f) articles 3(2)(n) and 4(2)(aa) and (bb) of the No. 22 Order(**27**), in respect of the Part 18 designated postcodes;

(g) articles 3(2)(s) and 4(2)(kk) and (ll) of the No. 22 Order, in respect of the Part 19 designated postcodes;

(h) articles 3(2)(a) and 4(2)(a) and (b) of the No. 24 Order, in respect of the Part 20 designated postcodes;

(i) articles 3(2)(l) and 4(2)(w) and (x) of the No. 24 Order, in respect of the Part 21 designated postcodes.

Modification of the No. 17, 19, 22 and 24 Orders: removal of the gateway conditions from 19th July 2017

5.—(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 19th July 2017.

(2) Where this article applies, the provisions referred to in sub-paragraphs (a) to (j) have effect, with respect to a claimant residing in the relevant designated postcodes, as though the reference in those provisions to meeting the gateway conditions were omitted—

(a) articles 3(2)(a) and 4(2)(a) of the No. 17 Order, in respect of the Part 22 designated postcodes;

(b) articles 3(2)(i) and 4(2)(i) of the No. 17 Order, in respect of the Part 23 designated postcodes;

(c) articles 3(2)(k) and 4(2)(k) of the No. 17 Order, in respect of the Part 24 designated postcodes;

(**24**) Articles 3(2)(e) and 4(2)(i) and (j) were modified by S.I. 2016/596 (C. 41) and 963 and 2017/57 (C. 5) and 584 (C. 53).
(**25**) Articles 3(2)(h) and 4(2)(o) and (p) were modified by S.I. 2016/596 (C. 41) and 963 and 2017/57 (C. 5).
(**26**) Articles 3(2)(j) and 4(2)(s) and (t) were modified by S.I. 2016/963 and 2017/57 (C. 5).
(**27**) Articles 3(2)(n) and 4(2)(aa) and (bb) were modified by S.I. 2016/963 and 2017/57 (C. 5).

(d) articles 3(2)(b) and 4(2)(b) of the No. 19 Order, in respect of the Part 25 designated postcodes;

(e) articles 3(2)(g) and 4(2)(m) and (n) of the No. 22 Order, in respect of the Part 26 designated postcodes;

(f) articles 3(2)(h) and 4(2)(o) and (p) of the No. 22 Order, in respect of the Part 27 designated postcodes;

(g) articles 3(2)(d) and 4(2)(g) and (h) of the No. 24 Order(**28**), in respect of the Part 28 designated postcodes;

(h) articles 3(2)(h) and 4(2)(o) and (p) of the No. 24 Order(**29**), in respect of the Part 29 designated postcodes;

(i) articles 3(2)(p) and 4(2)(ee) and (ff) of the No. 24 Order(**30**), in respect of the Part 30 designated postcodes;

(j) articles 3(2)(q) and 4(2)(gg) and (hh) of the No. 24 Order, in respect of the Part 31 designated postcodes.

Modification of the No. 24 Order: removal of the gateway conditions from 6th September 2017

6.—(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 6th September 2017.

(2) Where this article applies, the provisions referred to in sub-paragraphs (a) and (b) have effect, with respect to a claimant residing in the relevant designated postcodes, as though the reference in those provisions to meeting the gateway conditions were omitted—

(a) articles 3(2)(d) and 4(2)(g) and (h) of the No. 24 Order, in respect of the Part 32 designated postcodes;

(b) articles 3(2)(p) and 4(2)(ee) and (ff) of the No. 24 Order, in respect of the Part 33 designated postcodes.

Modification of the No. 22 and 24 Orders: removal of the gateway conditions from 13th September 2017

7.—(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 13th September 2017.

(2) Where this article applies, the provisions referred to in sub-paragraphs (a) to (e) have effect, with respect to a claimant residing in the relevant designated postcodes, as though the reference in those provisions to meeting the gateway conditions were omitted—

(a) articles 3(2)(a) and 4(2)(a) and (b) of the No. 22 Order, in respect of the Part 34 designated postcodes;

(b) articles 3(2)(c) and 4(2)(e) and (f) of the No. 22 Order, in respect of the Part 35 designated postcodes;

(c) articles 3(2)(h) and 4(2)(o) and (p) of the No. 24 Order, in respect of the Part 36 designated postcodes;

(**28**) Articles 3(2)(d) and 4(2)(g) and (h) were modified by S.I. 2016/963.
(**29**) Articles 3(2)(h) and 4(2)(o) and (p) were modified by S.I. 2016/963 and 2017/57 (C. 5).
(**30**) Articles 3(2)(p) and 4(2)(ee) and (ff) were modified by S.I. 2016/963 and 2017/57 (C. 5) and 584 (C. 53).