STATUTORY INSTRUMENTS

2017 No. 483 (C. 44)

SOCIAL SECURITY

The Welfare Reform Act 2012 (Commencement No. 9 and 21 and Transitional and Transitory Provisions (Amendment)) Order 2017

Made - - - - 28th March 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. 9 and 21 and Transitional and Transitory Provisions (Amendment)) Order 2017.

Amendment of the Welfare Reform Act 2012 (Commencement No. 9 and Transitional and Transitory Provisions and Commencement No. 8 and Savings and Transitional Provisions (Amendment)) Order 2013

2.—(1) With effect from 6th April 2017, the Welfare Reform Act 2012 (Commencement No. 9 and Transitional and Transitory Provisions and Commencement No. 8 and Savings and Transitional Provisions (Amendment)) Order 2013(**2**) is amended as follows.

(2) In the opening words of paragraph (1) of article 5A (transitional provision where Secretary of State determines that claims for universal credit may not be made: effect on claims for employment and support allowance and jobseeker's allowance)(**3**), before "and where the amending provisions" insert ", or by virtue of regulation 39 of those Regulations (restriction on claims for universal credit during the interim period)(**4**),".

(3) In sub-paragraph (e)(ii) of paragraph (1) of article 6(**5**), at the end insert ", or the claim is or would be one to which regulation 39 of those Regulations (restriction on claims for universal credit during the interim period) applies".

(**1**) 2012 c. 5.
(**2**) S.I. 2013/983 (C. 41).
(**3**) Article 5A was inserted by S.I. 2014/1452 (C. 56) and amended by S.I. 2014/2321 (C. 99) and 2015/634 (C. 32).
(**4**) S.I. 2014/1230. Regulation 39 was inserted by regulation 3 of S.I. 2017/376.
(**5**) Article 6 was amended, and sub-paragraph (e) inserted, by S.I. 2014/1452 (C. 56).

Amendment of the Welfare Reform Act 2012 (Commencement No. 21 and Transitional and Transitory Provisions) Order 2015

3.—(1) With effect from 6th April 2017, the Welfare Reform Act 2012 (Commencement No. 21 and Transitional and Transitory Provisions) Order 2015(**6**) is amended as follows.

(2) In paragraph (11) of article 6 (transitional provision: claims for housing benefit, income support or a tax credit)(**7**), after "regulation 4" insert ", or by virtue of regulation 39,".

Signed by authority of the Secretary of State for Work and Pensions

Damian Hinds
Minister of State
28th March 2017 Department for Work and Pensions

(**6**) S.I. 2015/33 (C. 4).
(**7**) Paragraph (11) was inserted by S.I. 2015/634 (C. 32).

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order amends the Welfare Reform Act 2012 (Commencement No. 9 and Transitional and Transitory Provisions and Commencement No. 8 and Savings and Transitional Provisions (Amendment)) Order 2013 (S.I. 2013/983 (C. 41)), as it affects provisions of the Welfare Reform Act 2012 (c. 5) relating to the abolition of income-related employment and support allowance and income-based jobseeker's allowance ("the amending provisions").

Regulation 39 of the Universal Credit (Transitional Provisions) Regulations 2014 (S.I. 2014/1230), as inserted by the Social Security (Restrictions on Amounts for Children and Qualifying Young Persons) Amendment Regulations 2017 (S.I. 2017/376), provides that no claim for universal credit may be made during the "interim period" (as defined in that regulation) by a person who is responsible for more than two children or qualifying young persons.

The amendments made by article 2 cause the amending provisions not to have effect where, if a person made a claim for universal credit, the claim would be one to which regulation 39 applies. Therefore, a person may instead make a claim for an income-related employment and support allowance or an income-based jobseeker's allowance.

Article 3 of this Order amends the Welfare Reform Act 2012 (Commencement No. 21 and Transitional and Transitory Provisions) Order 2015 (S.I. 2015/33 (C. 4)) to enable claims for housing benefit, income support or a tax credit to be made where a person is prevented from claiming universal credit by virtue of regulation 39.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Welfare Reform Act 2012 (c. 5) were brought into force by a Statutory Instrument which was made before this Order was made.

Provision	*Date of commencement*	*S.I. Number*
Section 1 (partially)	29th April 2013	2013/983
Section 1 (partially)	1st July 2013	2013/1511
Section 1 (partially)	29th July 2013	2013/1511
Section 1 (partially)	28th October 2013	2013/2657
Section 1 (partially)	25th November 2013	2013/2846
Section 1 (partially)	24th February 2014	2014/209
Section 1 (partially)	7th April 2014	2014/209
Section 1 (partially)	23rd June 2014	2014/1583
Section 1 (partially)	30th June 2014	2014/1583
Section 1 (partially)	30th June 2014	2014/1661
Section 1 (partially)	7th July 2014	2014/1583

Provision	*Date of commencement*	*S.I. Number*
Section 1 (partially)	14th July 2014	2014/1583
Section 1 (partially)	21st July 2014	2014/1583
Section 1 (partially)	28th July 2014	2014/1583
Section 1 (partially)	28th July 1014	2014/1923
Section 1 (partially)	15th September 2014	2014/2321
Section 1 (partially)	22nd September 2014	2014/2321
Section 1 (partially)	29th September 2014	2014/2321
Section 1 (partially)	6th October 2014	2014/2321
Section 1 (partially)	13th October 2014	2014/2321
Section 1 (partially)	20th October 2014	2014/2321
Section 1 (partially)	27th October 2014	2014/2321
Section 1 (partially)	3rd November 2014	2014/2321
Section 1 (partially)	10th November 2014	2014/2321
Section 1 (partially)	17th November 2014	2014/2321
Section 1 (partially)	24th November 2014	2014/2321
Section 1 (partially)	24th November 2014	2014/3067
Section 1 (partially)	26th November 2014	2014/3094
Section 1 (partially)	1st December 2014	2014/2321
Section 1 (partially)	8th December 2014	2014/2321
Section 1 (partially)	15th December 2014	2014/2321
Section 1 (partially)	26th January 2015	2015/32
Section 1 (partially)	28th January 2015	2015/33
Section 1 (partially)	16th February 2015	2015/101
Section 1 (partially)	23rd February 2015	2015/101
Section 1 (partially)	2nd March 2015	2015/32
Section 1 (partially)	2nd March 2015	2015/101
Section 1 (partially)	9th March 2015	2015/101
Section 1 (partially)	16th March 2015	2015/101
Section 1 (partially)	18th March 2015	2015/634
Section 1 (partially)	23rd March 2015	2015/101
Section 1 (partially)	6th April 2015	2015/32
Section 1 (partially)	6th April 2015	2015/101
Section 1 (partially)	13th April 2015	2015/101
Section 1 (partially)	20th April 2015	2015/101

Provision	*Date of commencement*	*S.I. Number*
Section 1 (partially)	27th April 2015	2015/101
Section 1 (partially)	4th May 2015	2015/101
Section 1 (partially)	11th May 2015	2015/101
Section 1 (partially)	18th May 2015	2015/101
Section 1 (partially)	25th May 2015	2015/101
Section 1 (partially)	1st June 2015	2015/101
Section 1 (partially)	8th June 2015	2015/101
Section 1 (partially)	10th June 2015	2015/634
Section 1 (partially)	15th June 2015	2015/101
Section 1 (partially)	22nd June 2015	2015/101
Section 1 (partially)	29th June 2015	2015/101
Section 1 (partially)	6th July 2015	2015/101
Section 1 (partially)	13th July 2015	2015/101
Section 1 (partially)	20th July 2015	2015/101
Section 1 (partially)	21st September 2015	2015/1537
Section 1 (partially)	28th September 2015	2015/1537
Section 1 (partially)	5th October 2015	2015/1537
Section 1 (partially)	12th October 2015	2015/1537
Section 1 (partially)	19th October 2015	2015/1537
Section 1 (partially)	26th October 2015	2015/1537
Section 1 (partially)	2nd November 2015	2015/1537
Section 1 (partially)	4th November 2015	2015/634
Section 1 (partially)	9th November 2015	2015/1537
Section 1 (partially)	16th November 2015	2015/1537
Section 1 (partially)	23rd November 2015	2015/1537
Section 1 (partially)	30th November 2015	2015/1537
Section 1 (partially)	2nd December 2015	2015/1930
Section 1 (partially)	7th December 2015	2015/1537
Section 1 (partially)	14th December 2015	2015/1537
Section 1 (partially)	11th January 2016	2015/1537
Section 1 (partially)	18th January 2016	2015/1537
Section 1 (partially)	25th January 2016	2015/1537
Section 1 (partially)	27th January 2016	2016/33
Section 1 (partially)	1st February 2016	2015/1537