

SCHEDULE II

Regulation 6(6)(c)

HOUSING COSTS

Housing costs

1.—(1) Subject to the following provisions of this Schedule, the housing costs applicable to a claimant in accordance with regulation 6(6)(c) are those costs—

- (a) which the claimant or, if he has a partner, his partner is, in accordance with paragraph 3, liable to meet in respect of the dwelling occupied as the home which he or his partner is treated as occupying; and
- (b) which qualify under [^{F1}under paragraph 13] .

^{F2}(2)

(3) For the purposes of sub-paragraph (2)(a), a person shall not cease to be a disabled person on account of his being disqualified for receiving benefit or treated as capable of work by virtue of the operation of section 171E of the 1992 Act ^{M1} (incapacity for work, disqualification etc.) [^{F3}or disqualified for receiving employment and support allowance or treated as not having limited capability for work in accordance with regulations made under section 18 of the Welfare Reform Act (disqualification)].

(4) In this Schedule, “non-dependant” means any person, except someone to whom sub-paragraph (5), (6) or (7) applies, who normally resides with the claimant.

(5) This sub-paragraph applies to—

- (a) a partner of the claimant or any person under the age of [^{F4}20] for whom the claimant or the claimant’s partner is responsible;
- (b) a person who lives with the claimant in order to care for him or for the claimant’s partner and who is engaged for that purpose by a charitable or voluntary organisation which makes a charge to the claimant or the claimant’s partner for the care provided by that person;
- (c) the partner of a person to whom head (b) above applies.

(6) This sub-paragraph applies to a person, other than a close relative of the claimant or the claimant’s partner,—

- (a) who is liable to make payments on a commercial basis to the claimant or the claimant’s partner in respect of his occupation of the claimant’s dwelling; [^{F5}or]

^{F6}(b)

- (c) who is a member of the household of a person to whom head (a) ^{F7}... above applies.

(7) This sub-paragraph applies to—

- (a) a person who jointly occupies the claimant’s dwelling and who is either—
 - (i) co-owner of that dwelling with the claimant or the claimant’s partners (whether or not there are other co-owners); or
 - (ii) jointly liable with the claimant or the claimant’s partner to make payments to a landlord in respect of his occupation of that dwelling;
- (b) a partner of a person to whom head (a) above applies.

(8) For the purpose of sub-paragraphs (4) to (7) a person resides with another only if they share any accommodation except a bathroom, a lavatory or a communal area but not if each person is separately liable to make payments in respect of his occupation of the dwelling to the landlord.

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(9) In sub-paragraph (8), “communal area” means any area (other than rooms) of common access (including halls and passageways) and rooms of common use in sheltered accommodation.

Textual Amendments

- F1** Words in Sch. II para. 1(1)(b) substituted (with effect in accordance with regs.19 - 21 of the amending S.I.) by [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), **Sch. 5 para. 4(a)(i)**
- F2** Sch. II para. 1(2) omitted (with effect in accordance with regs.19 - 21 of the amending S.I.) by virtue of [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), **Sch. 5 para. 4(a)(ii)**
- F3** Words in Sch. II para. 1(3) added (27.10.2008) by [The Employment and Support Allowance \(Consequential Provisions\) \(No. 2\) Regulations 2008 \(S.I. 2008/1554\)](#), regs. 1(2)(b), **4(8)(a)(ii)**
- F4** Word in Sch. II para. 1(5)(a) substituted (10.4.2006) by [The Social Security \(Young Persons\) Amendment Regulations 2006 \(S.I. 2006/718\)](#), regs. 1(2)(a), **6(4)(b)**
- F5** Word in Sch. II para. 1(6)(a) inserted (6.10.2003) by [The State Pension Credit \(Consequential, Transitional and Miscellaneous Provisions\) \(No. 2\) Regulations 2002 \(S.I. 2002/3197\)](#), reg. 1(1)(b), **Sch. para. 9(b)(i)**
- F6** Sch. II para. 1(6)(b) omitted (6.10.2003) by virtue of [The State Pension Credit \(Consequential, Transitional and Miscellaneous Provisions\) \(No. 2\) Regulations 2002 \(S.I. 2002/3197\)](#), reg. 1(1)(b), **Sch. para. 9(b)(ii)**
- F7** Words in Sch. II para. 1(6)(c) omitted (6.10.2003) by virtue of [The State Pension Credit \(Consequential, Transitional and Miscellaneous Provisions\) \(No. 2\) Regulations 2002 \(S.I. 2002/3197\)](#), reg. 1(1)(b), **Sch. para. 9(b)(iii)**

Marginal Citations

- M1** Section 171E was inserted by section 6 of the [Social Security \(Incapacity for Work\) Act 1994 \(c. 18\)](#).

Remunerative work

2.—(1) Subject to the following provisions of this paragraph, a person shall be treated for the purposes of this Schedule as engaged in remunerative work if he is engaged, or, where his hours of work fluctuate, he is engaged on average, for not less than 16 hours a week, in work for which payment is made or which is done in expectation of payment.

(2) Subject to sub-paragraph (3), in determining the number of hours for which a person is engaged in work where his hours of work fluctuate, regard shall be had to the average of hours worked over—

- (a) if there is a recognisable cycle of work, the period of one complete cycle (including, where the cycle involves periods in which the person does no work, those periods but disregarding any other absences);
- (b) in any other case, the period of 5 weeks immediately prior to the date of claim, or such other length of time as may, in the particular case, enable the person’s weekly average hours of work to be determined more accurately.

(3) Where, for the purposes of sub-paragraph (2)(a), a person’s recognisable cycle of work at a school, other educational establishment or other place of employment is one year and includes periods of school holidays or similar vacations during which he does not work, those periods and any other periods not forming part of such holidays or vacations during which he is not required to work shall be disregarded in establishing the average hours for which he is engaged in work.

(4) Where no recognisable cycle has been established in respect of a person’s work, regard shall be had to the number of hours or, where those hours will fluctuate, the average of the hours, which he is expected to work in a week.

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(5) A person shall be treated as engaged in remunerative work during any period for which he is absent from work referred to in sub-paragraph (1) if the absence is either without good cause or by reason of a recognised, customary or other holiday.

(6) A person on income support or an income-based jobseeker's allowance for more than 3 days in any benefit week shall be treated as not being in remunerative work in that week.

(7) A person shall not be treated as engaged in remunerative work on any day on which the person is on maternity leave [^{F8}, paternity leave [^{F9}, shared parental leave][^{F10}, parental bereavement leave] or adoption leave,] or is absent from work because he is ill.

(8) A person shall not be treated as engaged in remunerative work on any day on which he is engaged in an activity in respect of which—

(a) a sports award has been made, or is to be made, to him; and

(b) no other payment is made or is expected to be made to him [^{F11},

and for the purposes of this sub-paragraph, “sports award” means an award made by one of the Sports Councils named in section 23(2) of the National Lottery etc. Act 1993 out of sums allocated to it for distribution under that section]

(9) In this paragraph “benefit week”—

(a) in relation to income support, has the same meaning as in regulation 2(1) of the Income Support Regulations;

(b) in relation to jobseeker's allowance, has the same meaning as in regulation 1(3) of the Jobseeker's Allowance Regulations.

Textual Amendments

F8 Words in Sch. 2 para. 2(7) inserted (6.10.2003) by [The State Pension Credit \(Transitional and Miscellaneous Provisions\) Amendment Regulations 2003 \(S.I. 2003/2274\)](#), regs. 1, **2(9)(a)**

F9 Words in Sch. 2 para. 2(7) inserted (31.12.2014) by [The Shared Parental Leave and Statutory Shared Parental Pay \(Consequential Amendments to Subordinate Legislation\) Order 2014 \(S.I. 2014/3255\)](#), arts. 1(2), **10(5)**

F10 Words in Sch. 2 para. 2(7) inserted (6.4.2020) by [The Parental Bereavement Leave and Pay \(Consequential Amendments to Subordinate Legislation\) Regulations 2020 \(S.I. 2020/354\)](#), regs. 1, **10(5)**

F11 Words in Sch. 2 para. 2(8) added (6.10.2003) by [The State Pension Credit \(Consequential, Transitional and Miscellaneous Provisions\) \(No. 2\) Regulations 2002 \(S.I. 2002/3197\)](#), reg. 1(1)(b), **Sch. para. 9(c)**

Circumstances in which a person is liable to meet housing costs

3. A person is liable to meet housing costs where—

(a) the liability falls upon him or his partner but not where the liability is to a member of the same household as the person on whom the liability falls;

(b) because the person liable to meet the housing costs is not meeting them, the claimant has to meet those costs in order to continue to live in the dwelling occupied as the home and it is reasonable in all the circumstances to treat the claimant as liable to meet those costs;

(c) he in practice shares the housing costs with other members of the household none of whom are close relatives either of the claimant or his partner, and

(i) one or more of those members is liable to meet those costs, and

(ii) it is reasonable in the circumstances to treat him as sharing responsibility.

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Circumstances in which a person is to be treated as occupying a dwelling as his home

4.—(1) Subject to the following provisions of this paragraph, a person shall be treated as occupying as his home the dwelling normally occupied as his home by himself or, if he has a partner, by himself and his partner, and he shall not be treated as occupying any other dwelling as his home.

(2) In determining whether a dwelling is the dwelling normally occupied as the claimant's home for the purposes of sub-paragraph (1) regard shall be had to any other dwelling occupied by the claimant or by him and his partner whether or not that other dwelling is in Great Britain.

(3) Subject to sub-paragraph (4), where a claimant who has no partner is a full-time student or is on a training course and is liable to make payments (including payments of mortgage interest or, in Scotland, payments under heritable securities or, in either case, analogous payments) in respect of either (but not both) the dwelling which he occupies for the purpose of attending his course of study or his training course or, as the case may be, the dwelling which he occupies when not attending his course, he shall be treated as occupying as his home the dwelling in respect of which he is liable to make payments.

(4) A full-time student shall not be treated as occupying a dwelling as his home for any week of absence from it, other than an absence occasioned by the need to enter hospital for treatment, outside the period of study, if the main purpose of his occupation during the period of study would be to facilitate attendance on his course.

(5) Where a claimant has been required to move into temporary accommodation by reason of essential repairs being carried out to the dwelling normally occupied as his home and he is liable to make payments (including payments of mortgage interest or, in Scotland, payments under heritable securities or, in either case, analogous payments) in respect of either (but not both) the dwelling normally occupied or the temporary accommodation, he shall be treated as occupying as his home the dwelling in respect of which he is liable to make those payments.

(6) Where a person is liable to make payments in respect of two (but not more than two) dwellings, he shall be treated as occupying both dwellings as his home only—

- (a) where he has left and remains absent from the former dwelling occupied as the home through fear of violence in that dwelling or of violence by a close relative or former partner and it is reasonable that housing costs should be met in respect of both his former dwelling and his present dwelling occupied as the home; or
- (b) in the case of partners, where one partner is a full-time student or is on a training course and it is unavoidable that he or they should occupy two separate dwellings and reasonable that housing costs should be met in respect of both dwellings; or
- (c) in the case where a person has moved into a new dwelling occupied as the home, except where sub-paragraph (5) applies, for a period not exceeding four benefit weeks [^{F12}from the first day of the benefit week where the move takes place on that day, but if it does not, from the first day of the next following benefit week] if his liability to make payments in respect of two dwellings is unavoidable.

(7) Where—

- (a) a person has moved into a dwelling and was liable to make payments in respect of that dwelling before moving in; and
- (b) he had claimed state pension credit before moving in and either that claim has not yet been determined or it has been determined but—
 - (i) an amount has not been included under this Schedule; or
 - (ii) the claim has been refused and a further claim has been made within four weeks of the date on which the claimant moved into the new dwelling occupied as the home; and

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- (c) the delay in moving into the dwelling in respect of which there was liability to make payments before moving in was reasonable and—
 - (i) that delay was necessary in order to adapt the dwelling to meet the disablement needs of the claimant, his partner or a person under the age of ^{F13}20] for whom either the claimant or his partner is responsible; or
 - (ii) the move was delayed pending ^{F14}local welfare provision or] the outcome of an application under Part VIII of the 1992 Act for a social fund payment to meet a need arising out of the move or in connection with setting up the home in the dwelling; or
 - (iii) the person became liable to make payments in respect of the dwelling while he was a patient or was in a care home ^{F15}or an independent hospital],

he shall be treated as occupying the dwelling as his home for any period not exceeding four weeks immediately prior to the date on which he moved into the dwelling and in respect of which he was liable to make payments.

^{F16}(8) This sub-paragraph applies to a person who enters a care home or an independent hospital—

- (a) for the purpose of ascertaining whether that care home or independent hospital suits his needs, and
- (b) with the intention of returning to the dwelling which he normally occupies as his home should, in the event that, the care home or independent hospital prove not to suit his needs, and while in the care home or independent hospital, the part of the dwelling which he normally occupies as his home is not let, or as the case may be, sub-let to another person.]

(9) A person to whom sub-paragraph (8) applies shall be treated as occupying the dwelling he normally occupies as his home during any period (commencing with the day he enters the ^{F17}care home or independent hospital]) not exceeding 13 weeks in which the person is resident in the ^{F17}care home or independent hospital], but only in so far as the total absence from the dwelling does not exceed 52 weeks.

(10) A person, other than a person to whom sub-paragraph (11) applies, shall be treated as occupying a dwelling as his home throughout any period of absence not exceeding 13 weeks, if, and only if—

- (a) he intends to return to occupy the dwelling as his home; and
- (b) the part of the dwelling normally occupied by him has not been let or, as the case may be, sub-let to another person; and
- (c) the period of absence is unlikely to exceed 13 weeks.

(11) This sub-paragraph applies to a person whose absence from the dwelling he normally occupies as his home is temporary and—

- (a) he intends to return to occupy the dwelling as his home; and
- (b) while the part of the dwelling which is normally occupied by him has not been let or, as the case may be, sub-let; and
- (c) he is—

^{F18}(i) detained in custody on remand pending trial or, as a condition of bail, required to reside—

(aa) in a dwelling, other than the dwelling he occupies as his home; or

(bb) in premises approved under ^{F19}section 13 of the Offender Management Act 2007] ,

or, detained pending sentence upon conviction; or]

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- (ii) resident in a hospital or similar institution as a patient; or
 - (iii) undergoing or, as the case may be, his partner or a person who has not attained the age of [^{F20}20] and who is dependent on him or his partner is undergoing, in the United Kingdom or elsewhere, medical treatment, or medically approved convalescence, in accommodation other than in a care home [^{F21}or an independent hospital]; or
 - (iv) following, in the United Kingdom or elsewhere, a training course; or
 - (v) undertaking medically approved care of a person residing in the United Kingdom or elsewhere; or
 - (vi) undertaking the care of a person under the age of [^{F22}20] whose parent or guardian is temporarily absent from the dwelling normally occupied by that parent or guardian for the purpose of receiving medically approved care or medical treatment, or
 - (vii) a person who is, whether in the United Kingdom or elsewhere, receiving medically approved care provided in accommodation other than a care home [^{F23}or an independent hospital]; or
 - (viii) a full-time student to whom sub-paragraph (3) or (6)(b) does not apply; or
 - (ix) a person, other than a person to whom sub-paragraph (8) applies, who is receiving care provided in a care home [^{F24}or an independent hospital]; or
 - (x) a person to whom sub-paragraph (6)(a) does not apply and who has left the dwelling he occupies as his home through fear of violence in that dwelling, or by a person who was formerly his partner or is a close relative; and
- (d) the period of his absence is unlikely to exceed a period of 52 weeks or, in exceptional circumstances, is unlikely substantially to exceed that period.
- (12) A person to whom sub-paragraph (11) applies is to be treated as occupying the dwelling he normally occupies as his home during any period of absence not exceeding 52 weeks beginning with the first day of that absence.
- (13) In this paragraph—
- (a) “medically approved” means certified by a medical practitioner;
 - (b) “training course” means such a course of training or instruction provided wholly or partly by or on behalf of or in pursuance of arrangements made with, or approved by or on behalf of, [^{F25}Skills Development Scotland,] Scottish Enterprise, Highlands and Islands Enterprise, a government department or the Secretary of State.

Textual Amendments

- F12** Words in Sch. II para. 4(6)(c) inserted (8.1.2007) by [The Social Security \(Miscellaneous Amendments\) \(No. 5\) Regulations 2006 \(S.I. 2006/3274\)](#), regs. 1, **4** (with reg. 4(2)(3))
- F13** Word in Sch. II para. 4(7)(c)(i) substituted (10.4.2006) by [The Social Security \(Young Persons\) Amendment Regulations 2006 \(S.I. 2006/718\)](#), regs. 1(2)(a), **6(4)(c)**
- F14** Words in Sch. II para. 4(7)(c)(ii) inserted (2.4.2013) by [The Social Security \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/443\)](#), regs. 1, **6(3)(a)**
- F15** Words in Sch. II para. 4(7)(c)(iii) inserted (24.10.2005) by [The Social Security \(Care Homes and Independent Hospitals\) Regulations 2005 \(S.I. 2005/2687\)](#), reg. 1, **Sch. 5 para. 5(a)(i)**
- F16** Sch. II para. 4(8) substituted (24.10.2005) by [The Social Security \(Care Homes and Independent Hospitals\) Regulations 2005 \(S.I. 2005/2687\)](#), reg. 1, **Sch. 5 para. 5(a)(ii)**
- F17** Words in Sch. II para. 4(9) substituted (24.10.2005) by [The Social Security \(Care Homes and Independent Hospitals\) Regulations 2005 \(S.I. 2005/2687\)](#), reg. 1, **Sch. 5 para. 5(a)(iii)**

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- F18** Sch. II para. 4(11)(c)(i) substituted (4.4.2005) by The Social Security (Housing Benefit, Council Tax Benefit, State Pension Credit and Miscellaneous Amendments) Regulations 2004 (S.I. 2004/2327), regs. 1(1)(c), **7(5)(a)**
- F19** Words in Sch. II para. 4(11)(c)(i) (bb) substituted (17.11.2008) by The Social Security (Miscellaneous Amendments) (No.6) Regulations 2008 (S.I. 2008/2767), regs. 1(2), **5(4)(a)**
- F20** Word in Sch. II para. 4(11)(c)(iii) substituted (10.4.2006) by The Social Security (Young Persons) Amendment Regulations 2006 (S.I. 2006/718), regs. 1(2)(a), **6(4)(d)**
- F21** Words in Sch. II para. 4(11)(c)(iii) inserted (24.10.2005) by The Social Security (Care Homes and Independent Hospitals) Regulations 2005 (S.I. 2005/2687), reg. 1, **Sch. 5 para. 5(a)(iv)**
- F22** Word in Sch. II para. 4(11)(c)(vi) substituted (10.4.2006) by The Social Security (Young Persons) Amendment Regulations 2006 (S.I. 2006/718), regs. 1(2)(a), **6(4)(e)**
- F23** Words in Sch. II para. 4(11)(c)(vii) inserted (24.10.2005) by The Social Security (Care Homes and Independent Hospitals) Regulations 2005 (S.I. 2005/2687), reg. 1, **Sch. 5 para. 5(a)(iv)**
- F24** Words in Sch. II para. 4(11)(c)(ix) inserted (24.10.2005) by The Social Security (Care Homes and Independent Hospitals) Regulations 2005 (S.I. 2005/2687), reg. 1, **Sch. 5 para. 5(a)(iv)**
- F25** Words in Sch. II para. 4(13)(b) inserted (6.4.2009) by The Social Security (Miscellaneous Amendments) Regulations 2009 (S.I. 2009/583), regs. 1(2), **5(4)(a)**

Housing costs not met

5.—(1) No amount may be met under the provisions of this Schedule—

- (a) in respect of housing benefit expenditure; or
- (b) where the claimant is in accommodation which is a care home ^[F26]or an independent hospital] except where he is in such accommodation during a temporary absence from the dwelling he occupies as his home and in so far as they relate to temporary absences, the provisions of paragraph 4(8) to (12) apply to him during that absence.

^[F27](1A) In paragraph (1), “housing benefit expenditure” means expenditure in respect of which housing benefit is payable as specified in regulation 10(1) of the Housing Benefit (General) Regulations 1987 but does not include any such expenditure in respect of which an additional amount is applicable under regulation 6(6)(c) (housing costs).]

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Textual Amendments

- F26** Words in Sch. II para. 5(1)(b) inserted (24.10.2005) by [The Social Security \(Care Homes and Independent Hospitals\) Regulations 2005 \(S.I. 2005/2687\)](#), reg. 1, **Sch. 5 para. 5(b)**
- F27** Sch. II para. 5(1A) inserted (6.10.2003) by [The State Pension Credit \(Consequential, Transitional and Miscellaneous Provisions\) Regulations 2002 \(S.I. 2002/3019\)](#), regs. 1(2)(b), **23(1)(i)**
- F28** Sch. II para. 5(2)-(13) omitted (with effect in accordance with regs.19 - 21 of the amending S.I.) by virtue of [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), **Sch. 5 para. 4(b)**

Apportionment of housing costs

- 6.—(1) Where the dwelling occupied as the home is a composite hereditament and—
- before 1st April 1990 for the purposes of section 48(5) of the General Rate Act 1967 (reduction of rates on dwellings), it appeared to a rating authority or it was determined in pursuance of subsection (6) of section 48 of that Act that the hereditament, including the dwelling occupied as the home, was a mixed hereditament and that only a proportion of the rateable value of the hereditament was attributable to use for the purpose of a private dwelling; or
 - in Scotland, before 1st April 1989 an assessor acting pursuant to section 45(1) of the Water (Scotland) Act 1980 (provision as to valuation roll) has apportioned the net annual value of the premises including the dwelling occupied as the home between the part occupied as a dwelling and the remainder,

the additional amount applicable under this Schedule shall be such proportion of the amounts applicable in respect of the hereditament or premises as a whole as is equal to the proportion of the rateable value of the hereditament attributable to the part of the hereditament used for the purposes of a private tenancy or, in Scotland, the proportion of the net annual value of the premises apportioned to the part occupied as a dwelling house.

(2) Subject to sub-paragraph (1) and the following provisions of this paragraph, where the dwelling occupied as the home is a composite hereditament, the additional amount applicable under this Schedule shall be the relevant fraction of the amount which would otherwise be applicable under this Schedule in respect of the dwelling occupied as the home.

(3) For the purposes of sub-paragraph (2), the relevant fraction shall be obtained in accordance with the formula—

$$\frac{A}{A + B}$$

where—

“A” is the current market value of the claimant’s interest in that part of the composite hereditament which is domestic property within the meaning of section 66 of the Act of 1988;

“B” is the current market value of the claimant’s interest in that part of the composite hereditament which is not domestic property within that section.

(4) In this paragraph—

“composite hereditament” means—

- as respects England and Wales, any hereditament which is shown as a composite hereditament in a local non-domestic rating list;
- as respects Scotland, any lands and heritages entered in the valuation roll which are part residential subjects within the meaning of section 26(1) of the Act of 1987;

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“local non-domestic rating list” means a list compiled and maintained under section 41(1) of the Act of 1988;

“the Act of 1987” means the Abolition of Domestic Rates Etc. (Scotland) Act 1987 ^{M2};

“the Act of 1988” means the Local Government Finance Act 1988 ^{M3}.

(5) Where responsibility for expenditure which relates to housing costs met under this Schedule is shared, the additional amounts applicable under this Schedule shall be calculated by reference to the appropriate proportion of that expenditure for which the claimant is responsible.

Modifications etc. (not altering text)

C1 Sch. II para. 6(3) formula maintained (coming into force in accordance with art. 1(2)(l) of the amending S.I.) by [The Social Security Benefits Up Rating Order 2017 \(S.I. 2017/260\)](#), arts. 1(2)(l), 25(1)(6), **Sch. 13**

Marginal Citations

M2 1987 c. 47.

M3 1988 c. 41.

The calculation for loans

^{F29}7.

Textual Amendments

F29 Sch. 2 paras. 7-12 omitted (6.4.2018) by virtue of [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), **Sch. 5 para. 4(c)** (subject to transitional provisions in regs.19-21)

General provisions applying to housing costs

^{F29}8.

Textual Amendments

F29 Sch. 2 paras. 7-12 omitted (6.4.2018) by virtue of [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), **Sch. 5 para. 4(c)** (subject to transitional provisions in regs.19-21)

Modifications etc. (not altering text)

C2 Sum in [Sch. II para. 8\(2\)](#) (as it continues to have effect in accordance with S.I. 2017/725 reg. 20) maintained (11.4.2022 with effect in accordance with art. 1(3)(m) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2022 \(S.I. 2022/292\)](#), **art. 30(4)**

The standard rate

^{F29}9.

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Textual Amendments
F29 Sch. 2 paras. 7-12 omitted (6.4.2018) by virtue of [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), [Sch. 5 para. 4\(c\)](#) (subject to transitional provisions in regs.19-21)

Excessive Housing Costs

F29 10.

Textual Amendments
F29 Sch. 2 paras. 7-12 omitted (6.4.2018) by virtue of [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), [Sch. 5 para. 4\(c\)](#) (subject to transitional provisions in regs.19-21)

Loans on residential property

F29 11.

Textual Amendments
F29 Sch. 2 paras. 7-12 omitted (6.4.2018) by virtue of [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), [Sch. 5 para. 4\(c\)](#) (subject to transitional provisions in regs.19-21)

Loans for repairs and improvements to the dwelling occupied as the home

F29 12.

Textual Amendments
F29 Sch. 2 paras. 7-12 omitted (6.4.2018) by virtue of [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), [Sch. 5 para. 4\(c\)](#) (subject to transitional provisions in regs.19-21)

[^{F30}Housing costs]

13.—(1) Subject to the deduction specified in sub-paragraph (2) and the reductions applicable in sub-paragraph (5), there shall be met under this paragraph the amounts, calculated on a weekly basis, in respect of the following housing costs—

- (a) payments by way of rent or ground rent relating to a long tenancy ^{F31}...;
- (b) service charges;
- (c) payments by way of rentcharge within the meaning of section 1 of the Rentcharges Act 1977 ^{M4};
- (d) payments under a co-ownership scheme;
- (e) payments under or relating to a tenancy or licence of a Crown tenant;
- (f) where the dwelling occupied as the home is a tent, payments in respect of the tent and the site on which it stands.

(2) Subject to sub-paragraph (3), the deductions to be made from the weekly amounts to be met under this paragraph are—

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- (a) where the costs are inclusive of any of the items mentioned in paragraph 5(2) of Schedule I to the Housing Benefit (General) Regulations 1987^{M5} (payment in respect of fuel charges), the deductions prescribed in that paragraph unless the claimant provides evidence on which the actual or approximate amount of the service charge for fuel may be estimated, in which case the estimated amount;
- (b) where the costs are inclusive of ineligible service charges within the meaning of paragraph 1 of Schedule I to the Housing Benefit (General) Regulations 1987 (ineligible service charges) the amounts attributable to those ineligible service charges or where that amount is not separated from or separately identified within the housing costs to be met under this paragraph, such part of the payments made in respect of those housing costs which are fairly attributable to the provision of those ineligible services having regard to the costs of comparable services;
- (c) any amount for repairs and improvements, and for this purpose the expression “repairs and improvements” has [^{F32}the meaning in sub-paragraph (7)].

(3) Where arrangements are made for the housing costs, which are met under this paragraph and which are normally paid for a period of 52 weeks, to be paid instead for a period of 53 weeks, or to be paid irregularly, or so that no such costs are payable or collected in certain periods, or so that the costs for different periods in the year are of different amounts, the weekly amount shall be the amount payable for the year divided by 52.

(4) Where the claimant or the claimant’s partner—

- (a) pays for reasonable repairs or redecorations to be carried out to the dwelling he occupies; and
- (b) that work was not the responsibility of the claimant or his partner; and
- (c) in consequence of that work being done, the costs which are normally met under this paragraph are waived,

then those costs shall, for a period not exceeding 8 weeks, be treated as payable.

(5) Where in England and Wales an amount calculated on a weekly basis in respect of housing costs specified in sub-paragraph (1)(e) (Crown tenants) includes water charges, that amount shall be reduced—

- (a) where the amount payable in respect of water charges is known, by that amount;
- (b) in any other case, by the amount which would be the likely weekly water charge had the property not been occupied by a Crown tenant.

[^{F33}(6) In this paragraph—

- (a) “co-ownership scheme” means a scheme under which a dwelling is let by a housing association and the tenant, or his personal representative, will, under the terms of the tenancy agreement or of the agreement under which he became a member of the association, be entitled, on his ceasing to be a member and subject to any condition stated in either agreement, to a sum calculated by reference directly or indirectly to the value of the dwelling;
- (b) “Crown tenant” means a person who occupies a dwelling under a tenancy or licence where the interest of the landlord belongs to Her Majesty in right of the Crown or to a government department or is held in trust for Her Majesty for the purposes of a government department except (in the case of an interest belonging to Her Majesty in right of the Crown) where the interest is under the management of the Crown Estate Commissioners [^{F34}or a relevant person] ;
- (c) “housing association” has the meaning assigned to it by section 1(1) of the Housing Associations Act 1985;

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- (d) “long tenancy” means a tenancy granted for a term of years certain exceeding twenty one years, whether or not the tenancy is, or may become, terminable before the end of that term by notice given by or to the tenant or by re-entry, forfeiture (or, in Scotland, irritancy) or otherwise and includes a lease for a term fixed by law under a grant with a covenant or obligation for perpetual renewal unless it is a lease by sub-demise from one which is not a long tenancy]]^{F35}; and]
- (e) [^{F35c}“relevant person”, in relation to any property, rights or interests to which section 90B(5) of the Scotland Act 1998 applies, means the person who manages that property or those rights or interests.]

^{F36}(7) For the purposes of sub-paragraph (2)(c), “repairs and improvements” means any of the following measures undertaken with a view to maintaining the fitness of the dwelling for human habitation or, where the dwelling forms part of a building, any part of a building containing that dwelling—

- (a) provision of a fixed bath, shower, wash basin, sink or lavatory, and necessary associated plumbing, including the provision of hot water not connected to a central heating system;
- (b) repairs to existing heating system;
- (c) damp proof measures;
- (d) provision of ventilation and natural lighting;
- (e) provision of drainage facilities;
- (f) provision of facilities for preparing and cooking food;
- (g) provision of insulation of the dwelling occupied as the home;
- (h) provision of electric lighting and sockets;
- (i) provision of storage facilities for fuel or refuse;
- (j) repairs of unsafe structural defects;
- (k) adapting a dwelling for the special needs of a disabled person; or
- (l) provision of separate sleeping accommodation for persons of different sexes aged 10 or over but under the age of 20 who live with the claimant and for whom the claimant or the claimant’s partner is responsible.]

Textual Amendments

- F30** Words in Sch. II para. 13 heading substituted (with effect in accordance with regs.19 - 21 of the amending S.I.) by [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), **Sch. 5 para. 4(d)(i)**
- F31** Words in Sch. 02 para. 13(1)(a) omitted (2.10.2006) by [The Social Security \(Miscellaneous Amendments\) \(No. 4\) Regulations 2006 \(S.I. 2006/2378\)](#), **regs. 1(3), 14(5)(a)**
- F32** Words in Sch. II para. 13(2)(c) substituted (with effect in accordance with regs.19 - 21 of the amending S.I.) by [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), **Sch. 5 para. 4(d)(ii)**
- F33** Sch. II para. 13(6) added (6.10.2003) by [The State Pension Credit \(Consequential, Transitional and Miscellaneous Provisions\) Regulations 2002 \(S.I. 2002/3019\)](#), regs. 1(2)(b), **23(1)(iii)**
- F34** Words in Sch. II para. 13(6)(b) inserted (1.4.2017) by [The Crown Estate Transfer Scheme 2017 \(S.I. 2017/524\)](#), art. 1(2), **Sch. 5 para. 94(a)**
- F35** Sch. II para. 13(6)(e) and word inserted (1.4.2017) by [The Crown Estate Transfer Scheme 2017 \(S.I. 2017/524\)](#), art. 1(2), **Sch. 5 para. 94(b)**
- F36** Sch. II para. 13(7) inserted (with effect in accordance with regs.19 - 21 of the amending S.I.) by [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), **Sch. 5 para. 4(d)(iii)**

Marginal Citations

M4 1977 c. 30.

M5 S.I.1987/1971.

Persons residing with the claimant

14.—(1) Subject to the following provisions of this paragraph, the following deductions from the amount to be met under the preceding paragraphs of this Schedule in respect of housing costs shall be made—

- (a) in respect of a non-dependant aged 18 or over who is engaged in any remunerative work, [^{F37}£124.55];
- (b) in respect of a non-dependant aged 18 or over to whom paragraph (a) does not apply, [^{F38}£19.30].

(2) In the case of a non-dependant aged 18 or over to whom sub-paragraph [^{F39}(1)(a)] applies because he is in remunerative work, where the claimant satisfies the Secretary of State that the non-dependant's gross weekly income is—

- (a) less than [^{F40}£176.00] the deduction to be made under this paragraph shall be the deduction specified in sub-paragraph [^{F41}(1)(b)];
- (b) not less than [^{F42}£176.00] but less than [^{F43}£256.00], the deduction to be made under this paragraph shall be [^{F44}£44.40];
- (c) not less than [^{F45}£256.00] but less than [^{F46}£334.00], the deduction to be made under this paragraph shall be [^{F47}£60.95];
- (d) not less than [^{F48}£334.00] but less than [^{F49}£445.00], the deduction to be made under this paragraph shall be [^{F50}£99.65];
- (e) not less than [^{F51}£445.00] but less than [^{F52}£554.00], the deduction to be made under this paragraph shall be [^{F53}£113.50].

[^{F54}(2A) Where a non-dependant deduction is being made under the Loans for Mortgage Interest Regulations 2017, the amount of the deduction under sub-paragraph (1) or (2) is to be reduced by an amount equal to that non-dependant deduction.]

(3) Only one deduction shall be made under this paragraph in respect of partners and where, but for this sub-paragraph, the amount that would fall to be deducted in respect of one partner is higher than the amount (if any) that would fall to be deducted in respect of the other partner, the higher amount shall be deducted.

(4) In applying the provisions of sub-paragraph (2) in the case of partners, only one deduction shall be made in respect of the partners based on the partners' joint weekly income.

(5) Where a person is a non-dependant in respect of more than one joint occupier of a dwelling (except where the joint occupiers are partners), the deduction in respect of that non-dependant shall be apportioned between the joint occupiers (the amount so apportioned being rounded to the nearest penny) having regard to the number of joint occupiers and the proportion of the housing costs in respect of the dwelling occupied as the home payable by each of them.

(6) No deduction shall be made in respect of any non-dependants occupying the dwelling occupied as the home of the claimant, if the claimant or any partner of his is—

- [^{F55}(a) certified as severely sight impaired or blind by a consultant ophthalmologist, or who is within 28 weeks of ceasing to be so certified; or]
- (b) receiving in respect of himself either—

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- (i) an attendance allowance; ^{F56} ...
- (ii) the care component of the disability living allowance^{F57; F58} ...
- (iii) the daily living component of personal independence payment^{F59; F60} ...
 [the daily living component of adult disability payment; or]
- ^{F61}(iiia) (iv) armed forces independence payment.]

(7) No deduction shall be made in respect of a non-dependant—

- (a) if, although he resides with the claimant, it appears to the Secretary of State that the dwelling occupied as his home is normally elsewhere; or
- (b) if he is in receipt of a training allowance paid in connection with [^{F62}youth training] under section 2 of the Employment and Training Act 1973 ^{M6} or section 2 of the Enterprise and New Towns (Scotland) Act 1990^{M7}; or
- (c) if he is a full-time student ^{F63} ...; or

^{F64}(cc)

(d) if he is aged under 25 and in receipt of income support or an income-based jobseeker’s allowance; or

^{F65}(dd) in respect of whom a deduction in the calculation of a rent rebate or allowance falls to be made under regulation 55 (non-dependant deductions) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006; or]

(e) if he is not residing with the claimant because he has been [^{F66}an in-patient residing in a hospital or similar institution] for a period in excess of [^{F67}52] weeks, or is a prisoner; and in calculating any period of [^{F67}52] weeks, any 2 or more distinct periods separated by one or more intervals each not exceeding 28 days shall be treated as a single period; [^{F68}or]

^{F69}(f) if he is in receipt of state pension credit.]

^{F70}(g) if he is aged less than 25 and is in receipt of [^{F71}income-related] employment and support allowance which does not include an amount under section ^{F72}... 4(4) ^{F73}... of the Welfare Reform Act [^{F74}(component) or is not a member of the work-related activity group]]^{F75}; or

(h) if he is aged less than 25 and is entitled to an award of universal credit which is calculated on the basis that he does not have any earned income]

(8) In the case of a non-dependant to whom sub-paragraph (1) applies because he is in remunerative work, there shall be disregarded from his gross income—

^{F76}(a) any attendance allowance, disability living allowance, armed forces independence payment, personal independence payment or adult disability payment received by him;]

(b) any payment from the Macfarlane Trust, the Macfarlane (Special Payments) Trust, the Macfarlane (Special Payments) (No. 2) Trust (“the Trusts”), the Fund, the Eileen Trust [^{F77}, MFET Limited]]^{F78}, the Skipton Fund, the Caxton Foundation]]^{F79}, the Scottish Infected Blood Support Scheme]]^{F80}, an approved blood scheme]]^{F81}, the London Emergencies Trust, the We Love Manchester Emergency Fund]]^{F82}, the National Emergencies Trust]]^{F83}, the Victims of Overseas Terrorism Compensation Scheme] or the Independent Living [^{F84}Fund (2006)]; and

^{F85}(ba) any Grenfell Tower payment;]

^{F86}(bb) any child abuse payment;

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- (bc) any Windrush payment;]
- [^{F87}(bd) any Post Office compensation payment;]
- (c) any payment in kind.
- [^{F88}(d) any payment made under or by a trust, established for the purpose of giving relief and assistance to disabled persons whose disabilities were caused by the fact that during their mother's pregnancy she had taken a preparation containing the drug known as Thalidomide, and which is approved by the Secretary of State.]
- [^{F89}(9) For the purposes of sub-paragraph (7)(h), "earned income" has the meaning given in regulation 52 of the Universal Credit Regulations 2013.]

Textual Amendments

- F37** Sum in Sch. 2 para. 14(1)(a) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(a)**
- F38** Sum in Sch. 2 para. 14(1)(b) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(b)**
- F39** Word in Sch. 2 para. 14(2) substituted (6.10.2003) by [The State Pension Credit \(Consequential, Transitional and Miscellaneous Provisions\) \(No. 2\) Regulations 2002 \(S.I. 2002/3197\)](#), reg. 1(1)(b), **Sch. para. 9(g)(i)**
- F40** Sum in Sch. 2 para. 14(2)(a) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(c)**
- F41** Words in Sch. 2 para. 14(2)(a) substituted (2.10.2006) by [The Social Security \(Miscellaneous Amendments\) \(No. 4\) Regulations 2006 \(S.I. 2006/2378\)](#), **regs. 1(3), 14(5)(b)(i)**
- F42** Sum in Sch. 2 para. 14(2)(b) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(d)(ii)**
- F43** Sum in Sch. 2 para. 14(2)(b) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(d)(iii)**
- F44** Sum in Sch. 2 para. 14(2)(b) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(d)(i)**
- F45** Sum in Sch. 2 para. 14(2)(c) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(e)(ii)**
- F46** Sum in Sch. 2 para. 14(2)(c) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(e)(iii)**
- F47** Sum in Sch. 2 para. 14(2)(c) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(e)(i)**
- F48** Sum in Sch. 2 para. 14(2)(d) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(f)(ii)**
- F49** Sum in Sch. 2 para. 14(2)(d) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(f)(iii)**

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- F50** Sum in Sch. 2 para. 14(2)(d) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(k), **29(4)(f)(i)**
- F51** Sum in Sch. 2 para. 14(2)(e) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(k), **29(4)(g)(ii)**
- F52** Sum in Sch. 2 para. 14(2)(e) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(k), **29(4)(g)(iii)**
- F53** Sum in Sch. 2 para. 14(2)(e) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(k), **29(4)(g)(i)**
- F54** Sch. 2 para. 14(2A) inserted (with effect in accordance with regs.19 - 21 of the amending S.I.) by The Loans for Mortgage Interest Regulations 2017 (S.I. 2017/725), reg. 1(2)(a), **Sch. 5 para. 4(e)**
- F55** Sch. 2 para. 14(6)(a) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), **3(4)(b)(ii)**
- F56** Word in Sch. 2 para. 14(6)(b)(i) omitted (8.4.2013) by virtue of The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 27(5)(b)(i)**
- F57** Sch. 2 para. 14(6)(b)(iii) and word inserted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 27(5)(b)(ii)**
- F58** Word in Sch. 2 para. 14(6)(b)(ii) omitted (8.4.2013) by virtue of The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 23(5)(b)**
- F59** Words in Sch. 2 para. 14(6)(b)(iv) inserted (8.4.2013) by The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 23(5)(c)**
- F60** Word in Sch. 2 para. 14(6)(b)(iii) omitted (21.3.2022) by virtue of The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177), arts. 1(2), **8(4)(a)**
- F61** Sch. 2 para. 14(6)(b)(iiia) inserted (21.3.2022) by The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177), arts. 1(2), **8(4)(b)**
- F62** Words in Sch. 2 para. 14(7)(b) substituted (17.11.2008) by The Social Security (Miscellaneous Amendments) (No.6) Regulations 2008 (S.I. 2008/2767), regs. 1(2), **5(4)(c)**
- F63** Words in Sch. 2 para. 14(7)(c) omitted (6.12.2018) by virtue of The Social Security (Miscellaneous Amendments No. 5) Regulations 2017 (S.I. 2017/1187), regs. 1(2)(b), **5(2)(a)**
- F64** Sch. 2 para. 14(7)(cc) omitted (6.12.2018) by virtue of The Social Security (Miscellaneous Amendments No. 5) Regulations 2017 (S.I. 2017/1187), regs. 1(2)(b), **5(2)(b)**
- F65** Sch. 2 para. 14(7)(dd) inserted (2.10.2006) by The Social Security (Miscellaneous Amendments) (No. 4) Regulations 2006 (S.I. 2006/2378), **regs. 1(3), 14(5)(b)(ii)**
- F66** Words in Sch. 2 para. 14(7)(e) sum substituted (10.4.2006) by The Social Security (Hospital In-Patients) Regulations 2005 (S.I. 2005/3360), regs. 1(a), **8(4)(b)**
- F67** Word in Sch. 2 para. 14(7)(e) substituted (21.5.2003) by The Social Security (Hospital In-Patients and Miscellaneous Amendments) Regulations 2003 (S.I. 2003/1195), regs. 1(a), **8(2)**
- F68** Word in Sch. 2 para. 14(7)(e) inserted (4.4.2005) by The Social Security (Housing Benefit, Council Tax Benefit, State Pension Credit and Miscellaneous Amendments) Regulations 2004 (S.I. 2004/2327), regs. 1(1)(c), 7(5)(aa)**(b)(ii)**
- F69** Sch. 2 para. 14(7)(f) added (4.4.2005) by The Social Security (Housing Benefit, Council Tax Benefit, State Pension Credit and Miscellaneous Amendments) Regulations 2004 (S.I. 2004/2327), regs. 1(1)(c), **7(5)(b)(ii)(bb)**

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- F70** Sch. 2 para. 14(7)(g) added (27.10.2008) by The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), **4(8)(e)**
- F71** Words in Sch. 2 para. 14(7)(g) inserted (2.4.2013) by The Social Security (Miscellaneous Amendments) Regulations 2013 (S.I. 2013/443), regs. 1, **6(3)(b)**
- F72** Words in Sch. 2 para. 14(7)(g) omitted by SI 2008/1554 reg. 4(8)(e) (as amended) (27.10.2008) by virtue of The Employment and Support Allowance (Miscellaneous Amendments) Regulations 2008 (S.I. 2008/2428), regs. 1(2), **41(4)**
- F73** Words in Sch. 2 para. 14(7)(g) omitted (3.4.2017) by virtue of The Employment and Support Allowance and Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations 2017 (S.I. 2017/204), reg. 1, **Sch. 1 para. 5(3)(b)(i)** (with Sch. 2 paras. 1-7)
- F74** Words in Sch. 2 para. 14(7)(g) substituted (3.4.2017) by The Employment and Support Allowance and Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations 2017 (S.I. 2017/204), reg. 1, **Sch. 1 para. 5(3)(b)(ii)** (with Sch. 2 paras. 1-7)
- F75** Sch. 2 para. 14(7)(h) and word inserted (29.4.2013) by The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013 (S.I. 2013/630), regs. 1(2), **33(6)(b)(i)**
- F76** Sch. 2 para. 14(8)(a) substituted (21.3.2022) by The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177), arts. 1(2), **8(4)(c)**
- F77** Words in Sch. 2 para. 14(8)(b) inserted (6.4.2010) by The Social Security (Miscellaneous Amendments) (No. 2) Regulations 2010 (S.I. 2010/641), regs. 1(1), **6(3)(b)**
- F78** Words in Sch. 2 para. 14(8)(b) inserted (31.10.2011) by The Social Security (Miscellaneous Amendments) (No. 3) Regulations 2011 (S.I. 2011/2425), regs. 1(2), **15(5)**
- F79** Words in Sch. 2 para. 14(8)(b) inserted (3.4.2017) by The Social Security (Scottish Infected Blood Support Scheme) Regulations 2017 (S.I. 2017/329), regs. 1, **5(3)(a)**
- F80** Words in Sch. 2 para. 14(8)(b) inserted (23.10.2017) by The Social Security (Infected Blood and Thalidomide) Regulations 2017 (S.I. 2017/870), regs. 1, **5(3)(a)**
- F81** Words in Sch. 2 para. 14(8)(b) inserted (19.6.2017) by The Social Security (Emergency Funds) (Amendment) Regulations 2017 (S.I. 2017/689), regs. 1, **4(3)(a)**
- F82** Words in Sch. 2 para. 14(8)(b) inserted (15.7.2020) by The Social Security (Income and Capital) (Miscellaneous Amendments) Regulations 2020 (S.I. 2020/618), regs. 1, **4(3)(a)**
- F83** Words in Sch. II para. 14(8)(b) inserted (27.10.2023) by The Social Security (Habitual Residence and Past Presence, and Capital Disregards) (Amendment) Regulations 2023 (S.I. 2023/1144), regs. 1(1), **5(3)(a)**
- F84** Words in Sch. 2 para. 14(8)(b) substituted (17.11.2008) by The Social Security (Miscellaneous Amendments) (No.6) Regulations 2008 (S.I. 2008/2767), regs. 1(2), **5(4)(d)**
- F85** Sch. 2 para. 14(8)(ba) inserted (15.7.2020) by The Social Security (Income and Capital) (Miscellaneous Amendments) Regulations 2020 (S.I. 2020/618), regs. 1, **4(3)(b)**
- F86** Sch. 2 para. 14(8)(bb)(bc) inserted (1.1.2022) by The Social Security (Income and Capital Disregards) (Amendment) Regulations 2021 (S.I. 2021/1405), regs. 1, **4(3)**
- F87** Sch. 2 para. 14(8)(bd) inserted (9.7.2023) by The Social Security (Income and Capital Disregards) (Amendment) Regulations 2023 (S.I. 2023/640), regs. 1(1), **4(3)**
- F88** Sch. 2 para. 14(8)(d) inserted (23.10.2017) by The Social Security (Infected Blood and Thalidomide) Regulations 2017 (S.I. 2017/870), regs. 1, **5(4)**
- F89** Sch. 2 para. 14(9) inserted (29.4.2013) by The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013 (S.I. 2013/630), regs. 1(2), **33(6)(b)(ii)**

Marginal Citations

- M6** 1973 c. 50.
M7 1990 c. 35.

Changes to legislation: *The State Pension Credit Regulations 2002, SCHEDULE II is up to date with all changes known to be in force on or before 28 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Rounding of fractions

15. Where any calculation made under this Schedule results in a fraction of a penny, that fraction shall be treated as a penny.

Changes to legislation:

The State Pension Credit Regulations 2002, SCHEDULE II is up to date with all changes known to be in force on or before 28 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 2B inserted by [S.I. 2024/611 reg. 4\(5\)](#)
- reg. 6(c) word omitted by [S.I. 2024/611 reg. 4\(3\)](#)
- reg. 6(e) and word inserted by [S.I. 2024/611 reg. 4\(3\)](#)
- reg. 18(5A) inserted by [S.I. 2024/611 reg. 4\(4\)\(c\)](#)