
STATUTORY INSTRUMENTS

2006 No. 213

SOCIAL SECURITY

The Housing Benefit Regulations 2006

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THE HOUSING BENEFIT REGULATIONS 2006

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Status: This is the original version (as it was originally made).

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Status: This is the original version (as it was originally made).

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SCHEDULE 1 — Ineligible service charges

PART 1 — Service charges other than for fuel

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5. A service charge for fuel except a charge in respect...
 6. (1) Where a charge is ineligible to be met by...
 7. (1) Where rent is payable other than weekly, any amount...
 8. In this Schedule—“communal areas” mean areas (other than rooms)...

SCHEDULE 2 — Excluded tenancies

1. An excluded tenancy is any tenancy to which any of...
2. (1) Subject to the following sub-paragraphs, where a rent officer...
3. (1) This paragraph applies where the landlord is a registered...
4. This paragraph applies to a tenancy entered into before—
5. This paragraph applies to a regulated tenancy within the meaning...
6. This paragraph applies to a housing association tenancy which—
7. This paragraph applies to a protected occupancy or statutory tenancy...
8. This paragraph applies to a tenancy at a low rent...
9. This paragraph applies to a tenancy of any dwelling which...
10. This paragraph applies to a tenancy of a housing action...
11. (1) Subject to sub-paragraphs (2) and (3) this paragraph applies...
12. In this Schedule, “rent” shall be construed in accordance with...

SCHEDULE 3 — Applicable amounts

PART 1 — Personal allowances

1. The amounts specified in column (2) below in respect of...
2. (1) The amount specified in column (2) below in respect...

PART 2 — Family premium

3. (1) Subject to sub-paragraph (2), the amount for the purposes...

PART 3 — Premiums

4. Except as provided in paragraph 5, the premiums specified in...
5. Subject to paragraph 6, where a claimant satisfies the conditions...
6. (1) Subject to sub-paragraph (2), the following premiums, namely—
7. (1) Subject to sub-paragraph (2), for the purposes of this...
8. Bereavement premium
9. Pensioner Premium for persons under 75
10. Pensioner Premium for persons 75 and over
11. Higher Pensioner Premium
12. Disability Premium
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SCHEDULE 4 — Sums to be disregarded in the calculation of earnings

1. In the case of a claimant who has been engaged...
2. In the case of a claimant who, before the date...
3. (1) In a case to which this paragraph applies and...
4. In a case where the claimant is a lone parent,...
5. (1) In a case to which neither paragraph 3 nor...
6. Where the carer premium is awarded in respect of a...
7. In a case where paragraphs 3, 5, 6 and 8...
8. (1) In a case where paragraphs 3, 4, 5 and...
9. Where the claimant is engaged in one of more employments...
10. In a case to which none of the paragraphs 3...
11. Any amount or the balance of any amount which would...
12. Where a claimant is on income support or an income-based...
13. Any earnings derived from employment which are payable in a...
14. Where a payment of earnings is made in a currency...
15. Any earnings of a child or young person.
16. In this Schedule “part-time employment” means employment in which the...
17. (1) In a case where the claimant is a person...

SCHEDULE 5 — Sums to be disregarded in the calculation of income other than earnings

1. Any amount paid by way of tax on income which...
2. Any payment in respect of any expenses incurred or to...
3. In the case of employment as an employed earner, any...
4. Where a claimant is on income support or an income-based...
5. Where the claimant is a member of a joint-claim couple...
6. Any disability living allowance.
7. Any concessionary payment made to compensate for the non-payment of —...
8. Any mobility supplement under article 26A of the Naval, Military...
9. Any attendance allowance.
10. Any payment to the claimant as holder of the Victoria...
11. (1) Any payment— (a) by way of an education maintenance...
12. Any payment made to the claimant by way of a...
13. (1) Any payment made pursuant to section 2 of the...
14. (1) Subject to sub-paragraph (2), any of the following payments—...
15. Subject to paragraph 34, £10 of any of the following,...
16. Subject to paragraph 34, £15 of any—
17. (1) Any income derived from capital to which the claimant...
18. (1) Where a claimant receives income under an annuity purchased...
19. Where the claimant makes a parental contribution in respect of...
20. (1) Where the claimant is the parent of a student...
21. Any payment made to the claimant by a child or...
22. Where the claimant occupies a dwelling as his home and...
23. (1) Any income in kind, except where regulation 40(10)(b) (provision...

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24. Any income which is payable in a country outside the...
25. (1) Any payment made to the claimant in respect of...
26. Any payment made by a local authority to the claimant...
27. Any payment made to the claimant or his partner for...
28. Any payment made by a local authority in accordance with...
29. (1) Subject to sub-paragraph (2), any payment received under an...
30. Any payment of income which by virtue of regulation 46...
31. Any social fund payment made pursuant to Part 8 of...
32. Any payment under Part 10 of the Act (Christmas bonus...
33. Where a payment of income is made in a currency...
34. The total of a claimant's income or, if he is...
35. (1) Any payment made under the Macfarlane Trust, the Macfarlane...
36. Any payment made by the Secretary of State to compensate...
37. Any payment made by the Secretary of State to compensate...
38. Any resettlement benefit which is paid to the claimant by...
39. Any payment to a juror or witness in respect of...
40. Any community charge benefit.
41. Any payment in consequence of a reduction of council tax...
42. (1) Where the claimant occupies a dwelling as his home...
43. Any special war widows payment made under—
44. (1) Any payment or repayment made— (a) as respects England,...
45. Any payment made under regulation 6, 8, 12 or 14(2)...
46. Any payment made by either the Secretary of State for...
47. (1) Where a claimant's applicable amount includes an amount by...
48. Any payment made by the Secretary of State to compensate...
49. Any payment (other than a training allowance) made, whether by...
50. Any guardian's allowance.
51. Any council tax benefit.
52. (1) Where the claimant is in receipt of any benefit...
53. Any supplementary pension under article 29(1A) of the Naval, Military...
54. In the case of a pension awarded at the supplementary...
55. (1) Any payment which is— (a) made under any of...
56. Except in a case which falls under sub-paragraph (1) of...
57. Any payment made under the Community Care (Direct Payments) Act...
58. (1) Subject to sub-paragraph (2), in respect of a person...
59. (1) Any payment of a sports award except to the...
60. Where the amount of subsistence allowance paid to a person...
61. In the case of a claimant participating in an employment...
62. Any discretionary housing payment paid pursuant to regulation 2(1) of...
63. (1) Any payment made by a local authority or by...

SCHEDULE 6 — Capital to be disregarded

1. The dwelling together with any garage, garden and outbuildings, normally...
2. Any premises acquired for occupation by the claimant which he...
3. Any sum directly attributable to the proceeds of sale of...
4. Any premises occupied in whole or in part—
5. Where a claimant is on income support or an income-based...
6. Where the claimant is a member of a joint-claim couple...
7. Any future interest in property of any kind, other than...
8. (1) The assets of any business owned in whole or...
9. (1) Subject to sub-paragraph (2), any arrears of, or any...
10. Any sum— (a) paid to the claimant in consequence of...
11. Any sum— (a) deposited with a housing association as defined...

12. Any personal possessions except those which have been acquired by...
13. The value of the right to receive any income under...
14. Where the funds of a trust are derived from a...
15. The value of the right to receive any income under...
16. The value of the right to receive any income which...
17. The surrender value of any policy of life insurance.
18. Where any payment of capital falls to be made by...
19. Any payment made by a local authority in accordance with...
20. Any social fund payment made pursuant to Part 8 of...
21. Any refund of tax which falls to be deducted under...
22. Any capital which by virtue of regulation 41 or 64...
23. Where any payment of capital is made in a currency...
24. (1) Any payment made under the Macfarlane Trust, the Macfarlane...
25. (1) Where a claimant has ceased to occupy what was...
26. Any premises where the claimant is taking reasonable steps to...
27. Any premises which the claimant intends to occupy as his...
28. Any premises which the claimant intends to occupy as his...
29. Any payment made by the Secretary of State to compensate...
30. Any payment made by the Secretary of State to compensate...
31. The value of the right to receive an occupational or...
32. The value of any funds held under a personal pension...
33. The value of the right to receive any rent except...
34. Any payment in kind made by a charity or under...
35. Any payment made pursuant to section 2 of the 1973...
36. Any community charge benefit.
37. Any payment in consequence of a reduction of council tax...
38. Any grant made to the claimant in accordance with a...
39. Any arrears of special war widows payment which is disregarded...
40. (1) Any payment or repayment made— (a) as respects England,...
41. Any payment made under regulation 6, 8, 12 or 14(2)...
42. Any payment made either by the Secretary of State for...
43. Any payment (other than a training allowance) made, whether by...
44. Any payment made by a local authority under section 3...
45. Any sum of capital administered on behalf of a person...
46. Any sum of capital administered on behalf of a person...
47. Any payment to the claimant as holder of the Victoria...
48. The amount of any child maintenance bonus payable by way...
49. In the case of a person who is receiving, or...
50. (1) Any payment of a sports award for a period...
51. (1) Any payment— (a) by way of an education maintenance...
52. In the case of a claimant participating in an employment...
53. Any arrears of subsistence allowance paid as a lump sum...
54. Where an ex-gratia payment of £10,000 has been made by...
55. (1) Subject to sub-paragraph (2), the amount of any trust...
56. The amount of any payment, other than a war pension...
57. (1) Any payment made by a local authority, or by...
58. Any payment made under the Community Care (Direct Payments) Act...
59. Any payment made to the claimant pursuant to regulations under...
60. Any payment made to the claimant in accordance with regulations...

SCHEDULE 7 — Extended payments of housing benefit

PART 1 — Conditions for an extended payment

1. The conditions prescribed in this paragraph are that the Secretary...

Status: This is the original version (as it was originally made).

2. The conditions prescribed in this paragraph are that the claimant...
PART 2 — Calculation and payment of an extended payment
3. (1) Subject to the following provisions of this paragraph and...
4. Movers
5. Movers and rent allowances
6. Movers and rent rebates
7. Movers and extended payments
8. Maximum housing benefit
9. Movers with two homes
PART 3 — Adjustment of entitlement in respect of an extended payment
10. Where for any week— (a) a person is entitled to...
PART 4 — Interpretation
11. In this Schedule— “claimant” means a person claiming an extended...

SCHEDULE 8 — Extended Payments (severe disablement allowance and incapacity benefit) of housing benefit

1. Condition for an extended payment (severe disablement allowance and incapacity benefit)
2. Calculation and payment of an extended payment (severe disablement allowance and incapacity benefit)
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4. Movers and rent allowances.
5. Movers and rent rebates
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8. Movers with two homes
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10. Interpretation

SCHEDULE 9 — Matters to be included in decision notice

PART 1 — General

1. The statement of matters to be included in any decision...
2. Every decision notice shall include a statement as to the...
3. Every decision notice shall include a statement as to the...
4. Every decision notice following an application for a revision in...
5. Every decision notice following an application for a revision in...
6. An authority may include in the decision notice any other...
7. Parts 2, 3 and 6 of this Schedule shall apply...
8. Where a decision notice is given following a revision of...
PART 2 — Awards where income support or an income-based jobseeker’s allowance is payable
9. Where a person on income support or an income-based jobseeker’s...
PART 3 — Awards where no income support or an income-based jobseeker’s allowance is payable
10. Where a person is not on income support or on...
PART 4 — Awards where direct payments made to landlords
11. Where a decision has been made under regulation 95 or...
12. In this Schedule, “landlord” has the same meaning as in...
PART 5 — Notice where income of non-dependant is treated as claimant's
13. Where an authority makes a decision under regulation 26 (circumstances...
PART 6 — Notice where no award is made

14. Where a person is not awarded housing benefit—
PART 7 — Notice where recoverable overpayment
15. (1) Where the appropriate authority makes a decision that there...

SCHEDULE 10 — Pathfinder authorities

PART 1 — Commencement date in relation to each pathfinder authority

PART 2 — Application of the Regulations

1. These Regulations shall apply to pathfinder authorities subject to the...
2. In regulation 2(1) (interpretation), at the appropriate places, insert—
“amended...
3. Amendment of regulation 11
4. Insertion of regulation 11A
5. Amendment of regulation 12
6. Insert regulation 12A
7. Insertion of regulations 13A and 13B
8. Amendment of regulation 14
9. Amendment of regulation 15
10. Amendment of regulation 16
11. Amendment of regulation 17
12. Insertion of regulation 18A
13. Amendment of regulations 95 and 96

Explanatory Note