

SCHEDULE 6

Regulation 60

Extended payments of council tax benefit

PART 1

Conditions for an extended payment

1. The conditions prescribed in this paragraph are that the Secretary of State has certified to the relevant authority—
 - (a) that the claimant or his partner was entitled to and in receipt of income support or an income-based jobseeker's allowance or that the claimant and his partner were entitled to and in receipt of a joint-claim jobseeker's allowance and that entitlement has ceased;
 - (b) the relevant day in his case;
 - (c) that entitlement to income support or an income-based jobseeker's allowance had ceased by reason of the claimant or his partner—
 - (i) commencing employment as an employed or self-employed earner; or
 - (ii) increasing their earnings from such employment; or
 - (iii) increasing the number of hours worked in such employment; and
 - (d) that the claimant had been entitled to and in receipt of income support or a jobseeker's allowance for a continuous period of at least 26 weeks until the relevant day, and for the purpose of this sub-paragraph—
 - (i) a claimant satisfies the conditions of this sub-paragraph if he has been entitled to and in receipt of a combination of income support and a jobseeker's allowance for at least 26 weeks and for the purposes of this sub-paragraph, a reference to the claimant being entitled to and in receipt of a jobseeker's allowance shall include a reference to the claimant and his partner being entitled to and in receipt of a joint-claim jobseeker's allowance;
 - (ii) the claimant shall be treated as having been entitled to and in receipt of income support or a jobseeker's allowance during any period of less than 5 weeks in respect of which he was not entitled to either of those benefits because, as a consequence of his participation in an employment zone programme, he was engaged in remunerative work; and
 - (iii) references to the claimant include references to his partner.
2. The conditions prescribed in this paragraph are that the claimant or the claimant's partner—
 - (a) notifies either the designated office or an appropriate DWP office that he or his partner—
 - (i) has commenced, or is about to commence, remunerative work;
 - (ii) has commenced, or is about to commence, receiving remuneration for work or an increased amount of remuneration for work; or
 - (iii) has commenced, or is about to commence, an increased number of hours of work, so that entitlement to income support or to an income-based jobseeker's allowance ceases and that work or, as the case may be, remuneration, is expected to last 5 weeks or more; and
 - (b) makes that notification no later than 4 weeks after the day on which the claimant or his partner first undertakes the remunerative work referred to in sub-paragraph (a)(i) or first receives remuneration for the work or an increased amount of remuneration for the work

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referred to in sub-paragraph (a)(ii), or first commences the increased number of hours of work referred to in sub-paragraph (a)(iii).

PART 2

Calculation and payment of an extended payment

3. Except in the case of a mover, the amount of the extended payment shall be equal to the amount of council tax benefit allowed to the claimant for the last benefit week before he ceased to be entitled to council tax benefit.

Movers

4. In the case of a mover who claims an extended payment the relevant authority to whom the mover is liable to pay council tax in respect of the second dwelling shall, upon receiving the mover's claim for an extended payment which meets the requirements of regulation 60, allow an extended payment, calculated in accordance with paragraph 5, to the mover.

Movers and extended payments

5. In a case to which paragraph 4 applies—
- (a) the maximum council tax benefit of the mover shall be the amount of the council tax calculated in accordance with regulation 57, save that no deduction shall be made in respect of non-dependants, other than any that fall to be taken into account pursuant to sub-paragraph (b);
 - (b) the extended payment shall be by way of a discharge to the value of such part of the liability to council tax for the period specified in regulation 60(6) less, in a case where the rebate to which paragraph 4 refers was subject to any deductions in respect of non-dependants pursuant to regulations 57(1) and 58, the amount of those deductions.

PART 3

Adjustment of entitlement in respect of an extended payment

6. Where an extended payment has been allowed and the person to whom it was made has also claimed council tax benefit for a period that includes any part of the period specified in regulation 60(6), the entitlement to council tax benefit, if any, of that claimant for council tax benefit, in respect of any or each of those weeks, shall be reduced by the amount that that extended payment has discharged his council tax liability, in respect of any such week.

PART 4

Interpretation

7. In this Schedule, except where the context otherwise requires—
- “claimant” means a person claiming an extended payment;
 - “mover” means a claimant who changes the dwelling in which he is resident and in respect of which he is liable to pay council tax;

“the relevant day” means the day on which the claimant’s entitlement to income support or an income-based jobseeker’s allowance ceased; and

“second dwelling” means the dwelling to which a person has moved or is about to move, in which he is or will be resident, and where the liability to pay council tax in respect of his dwelling follows on immediately from the liability to pay council tax in respect of his previous dwelling.