
STATUTORY INSTRUMENTS

2010 No. 641

**The Social Security (Miscellaneous
Amendments) (No. 2) Regulations 2010**

Amendments to the Housing Benefit Regulations 2006

8.—(1) The Housing Benefit Regulations 2006⁽¹⁾ are amended as follows.

(2) In regulation 2(1) (interpretation) at the appropriate places insert the following definitions—

““MFET Limited” means the company limited by guarantee (number 7121661) of that name, established for the purpose in particular of making payments in accordance with arrangements made with the Secretary of State to persons who have acquired HIV as a result of treatment by the NHS with blood or blood products ;”;

““special account” means an account as defined for the purposes of Chapter 4A of Part 8 of the Jobseeker’s Allowance Regulations or Chapter 5 of Part 10 of the Employment and Support Allowance Regulations;”.

(3) In—

- (a) regulation 2(1) in the definition of “qualifying person”,
- (b) regulation 42(7)(a)⁽²⁾ (notional income),
- (c) regulation 46(6)⁽³⁾ (income treated as capital),
- (d) regulation 49(4)(a)⁽⁴⁾ (notional capital),
- (e) regulation 74(9)(b)⁽⁵⁾ (non-dependant deductions),
- (f) regulation 86(4)(a)(ii) (evidence and information),
- (g) Schedule 5 (sums to be disregarded in the calculation of income other than earnings), paragraph 35(1)⁽⁶⁾ and (7)⁽⁷⁾, and
- (h) Schedule 6 (capital to be disregarded), paragraph 24(1)⁽⁸⁾ and (7),

after “Eileen Trust” insert “, MFET Limited”.

(4) In regulation 42(2)(c)⁽⁹⁾ for “is aged under 60”, substitute “has not attained the qualifying age for state pension credit”.

(5) In—

- (a) regulation 42(7)(a),
- (b) regulation 46(6),
- (c) regulation 49(4)(a),

(1) [S.I. 2006/213](#).
(2) Relevant amending instrument is [S.I. 2008/2767](#).
(3) Relevant amending instrument is [S.I. 2008/2767](#).
(4) Relevant amending instrument is [S.I. 2008/2767](#).
(5) Substituted by [2007/2878](#). Relevant amending instrument is [S.I. 2008/2767](#).
(6) Relevant amending instrument is [S.I. 2008/2767](#).
(7) Relevant amending instrument is [S.I. 2008/3157](#).
(8) Relevant amending instrument is [S.I. 2008/2767](#).
(9) Relevant amending instruments are [S.I. 2006/588](#) and [2007/1749](#).

- (d) regulation 74(9)(b),
 - (e) regulation 86(4)(a)(ii),
 - (f) Schedule 5, paragraph 35(1) to (5), and
 - (g) Schedule 6, paragraphs 24(1) to (5) and 34(10),
- after “under” insert “or by”.
- (6) In regulation 46(7) omit “(as defined for the purposes of Chapter 4A of Part 8 of the Jobseeker’s Allowance Regulations)”.
- (7) In regulation 56(2A)(11) (full-time students to be treated as not liable to make payments in respect of a dwelling) after “begun” insert “, or been enrolled or accepted onto,”.
- (8) In regulation 74(6)(a) for “of the higher pensioner and disability premiums”, substitute “for the disability premium”.
- (9) In regulation 86(5)(12) for “is aged not less than 60”, substitute “has attained the qualifying age for state pension credit”.
- (10) In Schedule 5—
- (a) in paragraph 13(1)(a) for “or severe disablement allowance”, substitute “, severe disablement allowance or an employment and support allowance”, and
 - (b) in paragraph 58(2) omit “as defined for the purposes of Chapter 4A of Part 8 of the Jobseeker’s Allowance Regulations”.
- (11) In Schedule 5, paragraph 57(13) and Schedule 6, paragraph 58(14) after “1968” insert “, or under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care)(15)”.
- (12) In Schedule 6, paragraph 34 after “the Fund” insert “, MFET Limited”.

(10) Relevant amending instruments are [S.I. 2007/2538](#) and [2008/2767](#).

(11) Inserted by [S.I. 2009/583](#).

(12) Relevant amending instrument is [S.I. 2007/1749](#).

(13) Relevant amending instrument is [S.I. 2009/583](#).

(14) Relevant amending instrument is [S.I. 2009/583](#).

(15) [2006 c. 2006](#). Sections 12A to 12D were inserted by the section 11 of the Health Act [2009 \(c. 21\)](#).