
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Housing Benefit (General) Regulations 1987, the Housing Benefit (Supply of Information) Regulations 1988 and the Community Charge Benefits (General) Regulations 1989 so that with respect to housing benefit and community charge benefits—

- (a) they define supplementary benefit and amend the definition of “training allowance”(regulations 2 and 19);
- (b) they amend the definition of “student” to exclude a person in receipt of a training allowance (regulations 3 and 20);
- (c) they further define the amount in respect of travel costs which is to be excluded from a student’s income (regulations 4 to 6 and 21 to 23);
- (d) they further define the evidence and information which may be required in respect of a claim (regulations 8 and 25);
- (e) they transfer to a different regulation the rule relating to the provision of a written statement of the reasons for a determination, and make consequential amendments of a drafting nature (regulations 9, 16, 26, 33 and 35);
- (f) they make amendments of a drafting nature to the power to extend the time for making representations against a determination, or requesting a statement of reasons or a further review (regulations 10 and 27);
- (g) they specify the period within which a review of a determination should be conducted, and make amendments of a drafting nature to the rules relating to reviews of determinations (regulations 11 and 28);
- (h) they further define the amount which may be offset against arrears of entitlement to benefit following a review of a determination (regulations 12 and 29);
- (i) they specify further amounts which may be disregarded in calculating income other than earnings or capital (regulations 14, 15, 31 and 32);
- (j) they make changes consequential upon the Children Act 1989 (regulations 17 and 34); and
- (k) they specify further categories of information which may be supplied by the Secretary of State to a local authority (regulations 18 and 30).

With respect to housing benefit—

- (a) they make further provision in respect of a change of circumstances where the change is an amendment to the Housing Benefit (General) Regulations 1987 (regulation 7);
- (b) they specify further the circumstances in which the requirement of a local authority to apply to the rent officer for a determination does not apply (regulation 13).

With respect to community charge benefits they make further provision in respect of changes of circumstances affecting a claimant and his partner (regulation 24).