
STATUTORY INSTRUMENTS

2006 No. 213

SOCIAL SECURITY

The Housing Benefit Regulations 2006

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THE HOUSING BENEFIT REGULATIONS 2006

PART 1

General

1. Citation and commencement
2. Interpretation
3. Definition of non-dependant
4. Cases in which section 1(1A) of the Administration Act is disapplied
5. Persons who have attained the qualifying age for state pension credit
6. Remunerative work

PART 2

Provisions affecting entitlement to housing benefit

7. Circumstances in which a person is or is not to be treated as occupying a dwelling as his home
8. Circumstances in which a person is to be treated as liable to make payments in respect of a dwelling
9. Circumstances in which a person is to be treated as not liable to make payments in respect of a dwelling
10. Persons from abroad

PART 3

Payments in respect of a dwelling

11. Eligible housing costs
12. Rent
- 12B Eligible rent
- 12BA Eligible rent and maximum rent (social sector)

Changes to legislation: There are currently no known outstanding effects for the The Housing Benefit Regulations 2006. (See end of Document for details)

- 12C Eligible rent and maximum rent
- 12D Eligible rent and maximum rent (LHA)
- 12L Transitional protection – larger properties
- 12M Transitional protection – reduction in LHA
- A13 When a maximum rent (social sector) is to be determined
- B13 Determination of a maximum rent (social sector)
- 13. Maximum rent
- 13ZA Protection on death and 13 week protection
- 13ZB Change in reckonable rent
- 13C When a maximum rent (LHA) is to be determined
- 13D Determination of a maximum rent (LHA)
- 13E Publication of local housing allowances
- 14. Requirement to refer to rent officers
- 15. Applications to the rent officer for redeterminations
- 16. Application for redetermination by rent officer
- 17. Substitute determinations or substitute redeterminations
- 18. Application of provisions to substitute determinations or substitute redeterminations
- 18A Amended determinations

PART 4

Membership of a family

- 19. Persons of prescribed description
- 20. Circumstances in which a person is to be treated as responsible or not responsible for another
- 21. Circumstances in which a person is to be treated as being or not being a member of the household

PART 5

Applicable amounts

- 22. Applicable amounts
- 23. Polygamous marriages
- 24. Patients

PART 6

Income and capital

SECTION 1

General

- 25. Calculation of income and capital of members of claimant's family and of a polygamous marriage
- 26. Circumstances in which income of non-dependant is to be treated as claimant's

SECTION 2

Income

- 27. Calculation of income on a weekly basis
- 28. Treatment of child care charges

- 29. Average weekly earnings of employed earners
- 29A Date on which income consisting of earnings from employment as an employed earner are taken into account
- 30. Average weekly earnings of self-employed earners
- 31. Average weekly income other than earnings
- 32. Calculation of average weekly income from tax credits
- 33. Calculation of weekly income
- 34. Disregard of changes in tax, contributions etc

SECTION 3

Employed earners

- 35. Earnings of employed earners
- 36. Calculation of net earnings of employed earners

SECTION 4

Self-employed earners

- 37. Earnings of self-employed earners
- 38. Calculation of net profit of self-employed earners
- 39. Deduction of tax and contributions of self-employed earners

SECTION 5

Other income

- 40. Calculation of income other than earnings
- 41. Capital treated as income
- 42. Notional income

SECTION 6

Capital

- 43. Capital limit
- 44. Calculation of capital
- 45. Disregard of capital of child and young person
- 46. Income treated as capital
- 47. Calculation of capital in the United Kingdom
- 48. Calculation of capital outside the United Kingdom
- 49. Notional capital
- 50. Diminishing notional capital rule
- 51. Capital jointly held
- 52. Calculation of tariff income from capital

PART 7

Students

SECTION 1

General

- 53. Interpretation

Changes to legislation: There are currently no known outstanding effects for the The Housing Benefit Regulations 2006. (See end of Document for details)

- 54. Treatment of students

SECTION 2

Entitlement and payments in respect of a dwelling

- 55. Occupying a dwelling as a person's home
- 56. Full-time students to be treated as not liable to make payments in respect of a dwelling
- 57. Student's eligible housing costs
- 58. Student partners

SECTION 3

Income

- 59. Calculation of grant income
- 60. Calculation of covenant income where a contribution is assessed
- 61. Covenant income where no grant income or no contribution is assessed
- 62. Relationship with amounts to be disregarded under Schedule 5
- 63. Other amounts to be disregarded
- 64. Treatment of student loans and postgraduate ... loans
- 64A Treatment of fee loans
- 64B Treatment of loans for specific purposes
- 65. Treatment of payments from access funds
- 66. Disregard of contribution and rent
- 67. Further disregard of student's income
- 68. Amounts treated as capital
- 69. Disregard of changes occurring during summer vacation

PART 8

Amount of benefit

- 70. Maximum housing benefit
- 71. Housing benefit tapers
- 72. Extended payments
- 72A Duration of extended payment period
- 72B Amount of extended payment
- 72C Extended payments – movers
- 72D Relationship between extended payment and entitlement to housing benefit under the general conditions of entitlement
- 72E Calculation of an extended payment where the benefit cap applies
- 73. Extended payments (severe disablement allowance and incapacity benefit)
- 73A Duration of extended payment period (qualifying contributory benefits)
- 73B Amount of extended payment (qualifying contributory benefits)
- 73C Extended payments (qualifying contributory benefits) – movers
- 73D Relationship between extended payment (qualifying contributory benefits) and entitlement to housing benefit under the general conditions of entitlement
- 73E Calculation of an extended payment (qualifying contributory benefits) where the benefit cap applies
- 74. Non-dependant deductions
- 75. Minimum housing benefit

PART 8A

Benefit cap

- 75A Circumstances in which a benefit cap will apply
- 75B Determinations
- 75C Manner of calculating the amount of welfare benefits
- 75CA Determination of the relevant amount
- 75D Reduction of housing benefit
- 75E Exception to the benefit cap: current or recent work
- 75F Exception to the benefit cap: receipt of specified benefit
- 75G Interpretation
- 75H Specified accommodation

PART 9

Calculation of weekly amounts and changes of circumstances

- 76. Date on which entitlement is to commence
- 77. Date on which housing benefit is to end
- 78. Date on which housing benefit is to end where entitlement to severe disablement allowance or incapacity benefit ceases
- 79. Date on which change of circumstances is to take effect
- 80. Calculation of weekly amounts
- 81. Rent free periods

PART 10

Claims

- 82. Who may claim
- 83. Time and manner in which claims are to be made
- 83A Electronic claims for benefit
- 84. Date of claim where claim sent or delivered to a gateway office
- 85. Date of claim where claim sent or delivered to an office of a designated authority
- 86. Evidence and information
- 87. Amendment and withdrawal of claim
- 88. Duty to notify changes of circumstances
- 88ZA Alternative means of notifying changes of circumstances
- 88A Notice of changes of circumstances given electronically

PART 11

Decisions on questions

- 89. Decisions by a relevant authority
- 90. Notification of decisions

PART 12

Payments

- 91. Time and manner of payment
- 91A Cases in which payments to a housing authority are to take the form of a rent allowance
- 92. Frequency of payment of a rent allowance

Changes to legislation: There are currently no known outstanding effects for the The Housing Benefit Regulations 2006. (See end of Document for details)

- 93. Payment on account of a rent allowance
- 94. Payment to be made to a person entitled
- 95. Circumstances in which payment is to be made to a landlord
- 96. Circumstances in which payment may be made to a landlord
- 97. Payment on death of the person entitled
- 98. Offsetting

PART 13

Overpayments

- 99. Meaning of overpayment
- 100. Recoverable overpayments
- 101. Person from whom recovery may be sought
- 102. Method of recovery
- 103. Diminution of capital
- 104. Sums to be deducted in calculating recoverable overpayments
- 104A Sums to be deducted in calculating recoverable overpayments where the claimant has changed dwelling
- 105. Recovery of overpayments from prescribed benefits
- 106. Prescribed benefits
- 106A Recovery by deduction from earnings
- 107. Restrictions on recovery of rent and consequent notifications

PART 14

Information

SECTION 1

Claims and information

- 108. Interpretation
- 109. Collection of information
- 109A Verifying information
- 110. Recording and holding information
- 111. Forwarding of information
- 112. Request for information

SECTION 2

Information from landlords and agents and between authorities etc.

- 113. Interpretation
- 114. Evidence and information required by rent officers
- 114A Information to be provided to rent officers
- 115. Information to be supplied by an authority to another authority
- 116. Supply of information – extended payments (qualifying contributory benefits)
- 117. Requiring information from landlords and agents
- 118. Circumstances for requiring information
- 119. Relevant information
- 120. Manner of supply of information
- 121. Criminal offence
- 121A Supply of benefit administration information between authorities

PART 15

Former pathfinder authorities

122. Modifications in respect of former pathfinder authorities
Signature

SCHEDULE 1 — Ineligible service charges

PART 1 — Service charges other than for fuel

1. Ineligible service charges
2. Amount ineligible for meals
3. Amount of ineligible charges
4. Excessive service costs

PART 2 — Payments in respect of fuel charges

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) Subject to sub-paragraphs (1A) and (2) , this paragraph...
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...
- 11A This paragraph applies to a shared ownership tenancy.
12. In this Schedule, “rent ” shall be construed in...

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. This paragraph applies to a shared ownership tenancy.
13. In this Schedule, “rent” shall be construed in accordance with...

SCHEDULE 3 — Applicable amounts

PART 1 — Personal allowances

Changes to legislation: There are currently no known outstanding effects for the The Housing Benefit Regulations 2006. (See end of Document for details)

1. The amounts specified in column (2) below in respect of...
- 1A For the purposes of paragraph 1 a claimant is entitled...
2. (1) The amount specified in column (2) below in respect...
PART 2 — Family premium
3. (1) ...The amount for the purposes of regulations 22(c) and...
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. - The following premiums, namely— (a) a severe disability premium...
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
13. Additional Condition for the...Disability Premium
14. Severe Disability Premium
15. Enhanced disability premium
16. Disabled child premium
17. Carer premium
18. Persons in receipt of concessionary payments
19. Person in receipt of benefit
PART 4 — Amounts of premiums specified in Part 3
PART 5 — The component
21. (1) Subject to paragraph 22, the claimant is entitled to...
- 21A Subject to paragraph 22, the claimant is entitled to one,...
22. (1) The claimant has no entitlement under paragraph ... 24...
23. The work-related activity component
24. The support component
PART 6 — Amount of component
25. The amount of the work-related activity component is £35.95
26. The amount of the support component is £47.70 .
PART 7 — Transitional Addition
27. (1) The claimant is entitled to the transitional addition calculated...
28. (1) This paragraph applies where— (a) the claimant's entitlement to...
29. (1) This paragraph applies where— (a) the claimant's entitlement to...
PART 8 — Amount of transitional addition
30. (1) Subject to paragraph 31, the amount of the transitional...
31. (1) Subject to sub-paragraph (2), where there is a change...

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 first...
- 2A In the case of a claimant who has been engaged...
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 or more employments...
10. In a case to which none of the paragraphs 3...
- 10A (1) Where— (a) the claimant (or if the claimant is...

Changes to legislation: There are currently no known outstanding effects for the The Housing Benefit Regulations 2006. (See end of Document for details)

11. Any amount or the balance of any amount which would...
12. Where a claimant is on universal credit, income support, an...
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...
- A2 Any payment made to the claimant in respect of any...
- A3 Any payment made to the claimant in respect of any...
- A4 Any payment made to the claimant in respect of any...
- A5 Any payment made to the claimant in respect of any...
2. Any payment in respect of any expenses incurred or to...
- 2A Any payment in respect of expenses arising out of the...
3. In the case of employment as an employed earner, any...
4. Where a claimant is on universal credit, income support, an...
5. Where the claimant is a member of a joint-claim couple...
6. Any disability living allowance, armed forces independence payment or personal...
7. Any concessionary payment made to compensate for the non-payment of —...
8. Any mobility supplement under article 20 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...
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 to the claimant with whom a person...
27. Any payment made to the claimant or his partner for...
- 27A Any payment made to a claimant under section 73(1)(b) of...
28. Any payment made by a local authority in accordance with...
- 28A (1) Subject to sub-paragraph (2), any payment (or part of...
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...
- 31A Any local welfare provision.
32. Any payment under Part 10 of the Act (Christmas bonus...

Changes to legislation: There are currently no known outstanding effects for the The Housing Benefit Regulations 2006. (See end of Document for details)

- 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 or by the Macfarlane Trust,...
- 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 to such persons entitled to receive benefits...
- 46. Any payment made by either the Secretary of State for...
- 47. (1) Where a claimant's applicable amount includes an amount by...
- 47A (1) Any payment of child maintenance made or derived from...
- 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)) If the claimant is in receipt of any...
- 53. Any supplementary pension under article 23(2) 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...
- 55A a
- 55B b
- 56. Except in a case which falls under sub-paragraph (1) of...
- 57. Any payment made ... under section 12B of the Social...
- 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...
- 64. (1) £1.20 in relation to each week in which child...
- 65. Any payment of child benefit.
- 66. Any payments to a claimant made under section 49 of...
- 67. Any bereavement support payment under section 30 of the Pensions...
- 68. Any payment of carer's allowance supplement made under section 81...
- 69. Any early years assistance given in accordance with section 32...
- 70. Any funeral expense assistance given in accordance with section 34...
- 71. Any Scottish child payment assistance given in accordance with section...
- 72. Any short-term assistance given in accordance with regulations made under...
- 73. Any disability assistance given in accordance with regulations made under...
- 74. Any amount of carer support payment that is in excess...

SCHEDULE 6 — Capital to be disregarded

- 1. The dwelling together with any garage, garden and outbuildings, normally...
- A2 Any payment made to the claimant in respect of any...
- A3 Any payment made to the claimant in respect of any...
- A4 Any payment made to the claimant in respect of any...

- A5 Any payment made to the claimant in respect of any...
- 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 universal credit, income support, an...
- 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...
- 9A (1) A payment made to rectify, or to compensate for,...
- 9B Any payment of a widowed parent's allowance made pursuant to...
- 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...
- 14A (1) Any payment made to the claimant or the claimant's...
- 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...
- 19A (1) Subject to sub-paragraph (2), any payment (or part of...
- 20 Any social fund payment made pursuant to Part 8 of...
- 20A Any local welfare provision.
- 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 or by the Macfarlane Trust,...
- 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 which is a Grenfell Tower payment,...
- 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 supplementary pension which is disregarded under paragraph...
- 40 (1) Any payment or repayment made— (a) as respects England,...
- 41 Any payment made to such persons entitled to receive benefits...
- 41A Any payment made under Part 8A of the Act (entitlement...
- 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 (1) Any sum of capital to which sub-paragraph (2) applies...
- 46 Any sum of capital administered on behalf of a person...

Changes to legislation: There are currently no known outstanding effects for the The Housing Benefit Regulations 2006. (See end of Document for details)

- 47. Any payment to the claimant as holder of the Victoria...
- 48. The amount of any child maintenance bonus payable by way...
- 48A a
- 48B b
- 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 ... regulations made under section 57 of...
- 59. Any payment made to the claimant pursuant to regulations under...
- 60. Any payment made to the claimant in accordance with regulations...
- 61. Any payments to a claimant made under section 49 of...
- 62. (1) Any bereavement support payment in respect of the rate...
- 63. Any payment made under or by a trust, established for...
- 64. Any payment made to a claimant under section 73(1)(b) of...
- 65. Any early years assistance given in accordance with section 32...
- 66. Any funeral expense assistance given in accordance with section 34...
- 67. Any assistance given in accordance with the Carer's Assistance (Young...
- 68. Any winter heating assistance given in accordance with regulations made...

SCHEDULE 7 — Extended payments of housing benefit

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

The conditions prescribed in this paragraph are that the claimant...

(1) Subject to the following provisions of this paragraph and...

Where for any week— (a) a person is entitled to...

In this Schedule— “ claimant ” means a person claiming...

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

...

SCHEDULE 9 — Matters to be included in decision notice

PART 1 — General

Changes to legislation: There are currently no known outstanding effects for the The Housing Benefit Regulations 2006. (See end of Document for details)

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, an income-based jobseeker's allowance, an income-related employment and support allowance , an extended payment or an extended payment (qualifying contributory benefits) is payable
9. Where a person on income support, an income-based jobseeker's allowance...
 - PART 3 — Awards where no income support , an income-based jobseeker's allowance or an income-related employment and support allowance is payable
10. Where a person is not on income support, an income-based...
 - 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 — Former pathfinder authorities

PART 1 — Former pathfinder authorities

PART 2 — Application of the Regulations

1. These Regulations shall apply to former pathfinder authorities subject to...
2. Amendment of regulation 2
3. Amendment of regulation 11
4. Amendment of regulation 12B
5. Amendment of regulation 12D
6. Insertion of regulations 12E to 12K
7. Amendment of regulation 13C
8. Amendment of regulation 13D

SCHEDULE 11 — Electronic Communication

PART 1 — Introduction

1. Interpretation
 - PART 2 — Electronic Communication – General Provisions
2. Conditions for the use of electronic communication
3. Use of intermediaries
 - PART 3 — Electronic Communication – Evidential Provisions
4. Effect of delivering information by means of electronic communication
5. Proof of identity of sender or recipient of information
6. Proof of delivery of information
7. Proof of content of information

Explanatory Note

Changes to legislation:

There are currently no known outstanding effects for the The Housing Benefit Regulations 2006.