

SCHEDULE 2

Consequential amendments

Amendment of the Social Security (Miscellaneous Amendments) (No.2) Regulations 2005

28.—(1) The Social Security (Miscellaneous Amendments) (No. 2) Regulations 2005^{M1} shall be amended in accordance with the following provisions of this paragraph.

(2) In regulation 4, paragraphs (2) to (4) are revoked.

(3) After regulation 4, insert—

“Amendment of the Council Tax Benefit Regulations 2006

4A.—(1) The Council Tax Benefit Regulations 2006 are amended as follows.

(2) In regulation 32(2)(c) (notional income), after “personal pension scheme” insert “ , occupational pension scheme ”.

(3) In regulation 39(2)(d) (notional capital), after “personal pension scheme” insert “ , occupational pension scheme ”.

(4) For regulation 42(1) (calculation of tariff income from capital) substitute—

“(1) Where the claimant's capital calculated in accordance with this Part exceeds £6,000, it shall be treated as equivalent to a weekly income of £1 for each complete £250 in excess of £6,000 but not exceeding £16,000.””

(4) In regulation 5, paragraphs (2) to (4) are revoked.

(5) After regulation 5, insert—

“Amendment of the Housing Benefit Regulations 2006

5A.—(1) The Housing Benefit Regulations 2006 are amended as follows.

(2) In regulation 42(2)(c) (notional income), after “personal pension scheme” insert “ , occupational pension scheme ”.

(3) In regulation 49(2)(d) (notional capital), after “personal pension scheme” insert “ , occupational pension scheme ”.

(4) In regulation 52 (calculation of tariff income from capital)—

(a) in paragraph (1)—

(i) omit “(2) or”; and

(ii) for “£3,000” (in both places) substitute “ £6,000 ”;

(b) omit paragraph (2);

(c) in paragraphs (6) and (7), omit “, (2)”.”.

(6) Regulation 4A, as inserted by sub-paragraph (3) above, shall come into force—

(a) for the purposes of paragraphs (1) and (4), on 1st April 2006;

(b) for the purposes of paragraphs (2) and (3), on 6th April 2006.

(7) Regulation 5A, as inserted by sub-paragraph (5) above, shall come into force—

(a) for the purposes of paragraphs (1) and (4), on 1st April 2006;

(b) for the purposes of paragraphs (2) and (3), on 6th April 2006.

Changes to legislation: *There are currently no known outstanding effects for the The Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006, Paragraph 28. (See end of Document for details)*

Marginal Citations

M1 [S.I. 2005/2465](#).

Changes to legislation:

There are currently no known outstanding effects for the The Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006, Paragraph 28.