
STATUTORY INSTRUMENTS

2008 No. 2767

The Social Security (Miscellaneous Amendments) (No.6) Regulations 2008

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

7.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006⁽¹⁾ are amended as follows.

(2) In regulation 2(1) (interpretation), omit the definition of—

- (a) “the Independent Living Fund”;
- (b) “the Independent Living Funds”⁽²⁾.
- (c) “the Independent Living (Extension) Fund”;
- (d) “the Independent Living (1993) Fund”;

(3) In regulation 7 (circumstances in which a person is or is not to be treated as occupying the dwelling as his home)—

- (a) in paragraph (5) for “section 9(1) of the Criminal Justice and Court Services Act 2000” substitute “section 13 of the Offender Management Act 2007”;
- (b) in paragraph (16)(c)(i)(bb) for “section 9 of the Criminal Justice and Court Services Act 2000” substitute “section 13 of the Offender Management Act 2007”.

(4) In regulation 55 (non-dependant deductions)⁽³⁾—

- (a) in sub-paragraph (7)(b) for “a Youth Training Scheme” substitute “youth training”;
- (b) in sub-paragraph (10)(b) for “Funds” substitute “Fund (2006)”.

(5) In—

- (a) regulation 67(4)(b) and (c) (evidence and information),
- (b) paragraph 16(1)(b) of Schedule 6 (capital to be disregarded),

for “Funds” substitute “Fund (2006)”.

(6) In paragraph 9 of Schedule 2 (excluded tenancies)⁽⁴⁾ for “section 9(1) of the Criminal Justice and Court Services Act 2000” substitute “section 13 of the Offender Management Act 2007”.

(7) In paragraph 14(a)(ii) of Schedule 8 (matters to be included in decision notice) for “income support or an income-based jobseeker’s allowance” substitute “state pension credit”.

(8) In paragraphs (4) and (6) of this regulation the references to regulation 55 and Schedule 2 mean regulation 55 of and Schedule 2 to the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006—

(1) [S.I. 2006/214](#).

(2) Relevant amending instrument is [S.I. 2007/2538](#).

(3) Regulation 55 was substituted by [S.I. 2007/2869](#).

(4) Substituted by [S.I. 2007/2869](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) as substituted by regulations 14 and 18 of the Housing Benefit (State Pension Credit) (Local Housing Allowance and Information Sharing) Amendment Regulations 2007; and
- (b) as in force for cases to which regulation 14 and 18 of those Regulations do not have effect (non-local housing allowance cases).