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STATUTORY INSTRUMENTS

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**2008 No. 3195**

**The Social Security (Housing Costs Special Arrangements)  
(Amendment and Modification) Regulations 2008**

**PART 3**

Modifications relating to certain persons who  
claim a relevant benefit after 4th January 2009

**Modification of the Employment and Support Allowance Regulations**

**9.** Schedule 6 (housing costs) to the Employment and Support Allowance Regulations applies in relation to a person to whom this Part applies as if—

- (a) in paragraph 1(2) (housing costs) the definitions of “existing housing costs” and “new housing costs” were omitted;
- (b) paragraph 8 (existing housing costs) were omitted;
- (c) in paragraph 9 (new housing costs)—
  - (i) the reference to “new” were omitted—
    - (aa) in the heading, and
    - (bb) in sub-paragraphs (1) and (2),
  - (ii) in sub-paragraph (1) the reference to “39” were to “13”,
  - (iii) sub-paragraphs (4) to (7) were omitted;
- (d) in paragraph 10 (general exclusions from paragraphs 8 and 9)—
  - (i) in the heading “paragraph 9” were substituted for “paragraphs 8 and 9”,
  - (ii) in sub-paragraph (1) “Paragraph 9” were substituted for “Paragraphs 8 and 9”;
- (e) in paragraph 11 (the calculation for loans) the reference to “existing housing costs, or as the case may be, new housing costs” were to “housing costs”;
- (f) in paragraph 12 (general provisions applying to new and existing housing costs)—
  - (i) [<sup>F1</sup>for the heading there were substituted “General provisions applying to housing costs”];
  - (ii) [<sup>F1</sup>sub-paragraphs (1) and (2) were omitted;]
  - (iii) in sub-paragraph (4), the reference to “£100,000” were to “£200,000”;
- (g) in paragraph 14(9) (excessive housing costs) “paragraph 9” were substituted for “paragraphs 8 and 9”;
- (h) in paragraph 15 (linking rule)—
  - (i) in sub-paragraph (2) the reference to “paragraph 8(1)(a)(i) or” were omitted;
  - (ii) in sub-paragraph (6)(a) the reference to “8(1) or” were omitted;

(iii) for sub-paragraph (14) there were substituted—

“(14) Where sub-paragraph (13) applies, in determining for the purposes of paragraph 9(1) whether a person has been entitled to an income-related allowance for a continuous period of 13 weeks or more, any week falling between the date of the termination of the previous award and the date of the new claim is to be ignored.”;

(iv) in sub-paragraph (18) the reference to “8(1)(a), 8(1)(b) or” were omitted;

(i) in paragraph 20 (continuity with income support, an income-based jobseeker's allowance or state pension credit) sub-paragraph (1)(a) were omitted.

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**Textual Amendments**

**F1** Instrument revoked in part (1.4.2016) by [The Social Security \(Housing Costs Amendments\) Regulations 2015 \(S.I. 2015/1647\)](#), [reg. 7](#) (with [reg. 8](#))

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Housing Costs Special Arrangements) (Amendment and Modification) Regulations 2008, Section 9.