
STATUTORY INSTRUMENTS

2008 No. 959

**The Housing Benefit and Council Tax Benefit
(Extended Payments) Amendment Regulations 2008**

Extended payments – consequential amendments to the Housing Benefit Regulations

- 4.—(1) The Housing Benefit Regulations shall be amended as follows.
- (2) In regulation 2(1)(1) (interpretation)—
- (a) for the definition of “extended payment” substitute—
- ““extended payment” means a payment of housing benefit payable pursuant to regulation 72;
- “extended payment period” means the period for which an extended payment is payable in accordance with regulation 72A or 73A;”;
- (b) for the definition of “extended payment (severe disablement allowance and incapacity benefit)” substitute—
- ““extended payment (qualifying contributory benefits)” means a payment of housing benefit payable pursuant to regulation 73;”;
- (c) for the definition of “mover” substitute—
- ““mover” means a claimant who changes the dwelling occupied as the claimant’s home from a dwelling in the area of the appropriate authority to a dwelling in the area of a second authority;”;
- (d) after the definition of “the New Deal options” insert—
- ““new dwelling” means, for the purposes of the definition of “second authority” and regulations 72C, 73C, 115 and 116, the dwelling to which a claimant has moved, or is about to move, which is or will be occupied as the claimant’s new home;”;
- (e) after the definition of “the qualifying age for state pension credit” insert—
- ““qualifying contributory benefit” means—
- (a) severe disablement allowance;
- (b) incapacity benefit;
- “qualifying income-related benefit” means—
- (a) income support;
- (b) income-based jobseeker’s allowance;”;
- (f) after the definition of “Rent Officers Order” insert—
- ““second authority” means the authority to which a mover is liable to make payments for the new dwelling;”;
- and
- (g) omit the definition of “second dwelling”.
- (3) In regulation 5 (persons who have attained the qualifying age for state pension credit)—

- (a) omit paragraph (2); and
 - (b) in paragraph (3) for “paragraphs (1) and (2)” substitute “paragraph (1)”.
- (4) Omit—
- (a) regulation 77 (date on which housing benefit is to end);
 - (b) regulation 78 (date on which housing benefit is to end where entitlement to severe disablement allowance or incapacity benefit ceases);
 - (c) regulation 80(6)(2) (adjustment where in receipt of an extended payment);
 - (d) regulation 89(3) (priority to extended payment claims);
 - (e) Schedule 7(3) (extended payments of housing benefit); and
 - (f) Schedule 8(4) (extended payments (severe disablement allowance and incapacity benefit) of housing benefit).
- (5) In Part 2 of Schedule 9 (awards where income support or an income-based jobseeker’s allowance is payable)—
- (a) in the heading to paragraph 9 after “jobseeker’s allowance”, insert “, an extended payment or an extended payment (qualifying contributory benefits)”;
 - (b) in paragraph 9 after the words “is awarded housing benefit”, insert “or a claimant is entitled to an extended payment in accordance with regulation 72 or an extended payment (qualifying contributory benefits) in accordance with regulation 73”.

(2) Regulation 80 was substituted by [S.I. 2007/2868](#).
(3) A relevant amending instrument is [S.I. 2007/2868](#).
(4) A relevant amending instrument is [S.I. 2007/2868](#).