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STATUTORY INSTRUMENTS

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**2012 No. 2885**

**The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012**

**PART 1**

**General**

**Remunerative work**

**10.**—(1) Subject to the following provisions of this regulation, a person must be treated for the purposes of these Regulations as engaged in remunerative work if he is engaged, or, where his hours of work fluctuate, he is engaged on average, for not less than 16 hours a week, in work for which payment is made or which is done in expectation of payment.

(2) Subject to sub-paragraph (3), in determining the number of hours for which a person is engaged in work where his hours of work fluctuate, regard must be had to the average of hours worked over—

- (a) if there is a recognisable cycle of work, the period of one complete cycle (including, where the cycle involves periods in which the person does no work, those periods but disregarding any other absences);
- (b) in any other case, the period of 5 weeks immediately prior to the date of application, or such other length of time as may, in the particular case, enable the person's weekly average hours of work to be determined more accurately.

(3) Where, for the purposes of paragraph (2)(a), a person's recognisable cycle of work at a school, other educational establishment or other place of employment is one year and includes periods of school holidays or similar vacations during which he does not work, those periods and any other periods not forming part of such holidays or vacations during which he is not required to work must be disregarded in establishing the average hours for which he is engaged in work.

(4) Where no recognisable cycle has been established in respect of a person's work, regard must be had to the number of hours or, where those hours will fluctuate, the average of the hours, which he is expected to work in a week.

(5) A person must be treated as engaged in remunerative work during any period for which he is absent from work referred to in paragraph (1) if the absence is either without good cause or by reason of a recognised, customary or other holiday.

(6) A person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance for more than 3 days in any reduction week must be treated as not being in remunerative work in that week.

(7) A person must not be treated as engaged in remunerative work on any day on which the person is on maternity leave, paternity leave or adoption leave, or is absent from work because he is ill.

(8) A person must not be treated as engaged in remunerative work on any day on which he is engaged in an activity in respect of which—

- (a) a sports award has been made, or is to be made, to him; and

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**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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(b) no other payment is made or is expected to be made to him.

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**Commencement Information**

**11** Reg. 10 in force at 27.11.2012, see [reg. 1\(1\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- Regulations words substituted by [S.I. 2022/634 Sch. para. 1\(1\)\(3\)](#)
- reg. 10(7) words inserted by [S.I. 2014/3255 art. 27\(3\)](#)
- reg. 10(7) words inserted by [S.I. 2020/23 reg. 5](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- blanket amendment words substituted by [S.I. 2023/1071 Sch. para. 1](#)

**Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):**

- Sch. 1 para. 8(7)(e) added by [S.I. 2013/3181 reg. 2\(7\)\(c\)\(vi\)](#)
- Sch. 1 para. 8(8)(c) and word added by [S.I. 2014/3312 reg. 2\(5\)\(a\)\(vi\)\(bb\)](#)
- Sch. 1 para. 16(1)(j)(xvii) inserted by [S.I. 2014/3255 art. 27\(4\)\(a\)\(iii\)](#)
- Sch. 1 para. 18(1)(ja) inserted by [S.I. 2014/3255 art. 27\(4\)\(b\)\(iii\)](#)
- Sch. 1 para. 8(11A) inserted by [S.I. 2014/3312 reg. 2\(5\)\(a\)\(vii\)](#)
- Sch. 1 para. 22(2)(d) inserted by [S.I. 2015/1985 art. 39\(3\)\(a\)\(ii\)](#)
- Sch. 1 para. 22(3)(d) inserted by [S.I. 2015/1985 art. 39\(3\)\(a\)\(iv\)](#)
- Sch. 1 para. 22(11A)-(11D) inserted by [S.I. 2015/1985 art. 39\(3\)\(a\)\(vi\)](#)
- Sch. 1 para. 17(3A) inserted by [S.I. 2015/2041 reg. 2\(3\)\(b\)\(ii\)](#)
- Sch. 1 para. 17(4A) inserted by [S.I. 2015/2041 reg. 2\(3\)\(b\)\(iii\)](#)
- Sch. 1 para. 5(3A)-(3G) inserted by [S.I. 2016/1262 reg. 2\(3\)\(a\)\(ix\)](#)
- Sch. 1 para. 5(2)(d) inserted by [S.I. 2016/1262 reg. 2\(3\)\(a\)\(vi\)](#)
- Sch. 1 para. 5(2A)-(2F) inserted by [S.I. 2016/1262 reg. 2\(3\)\(a\)\(vii\)](#)
- Sch. 1 para. 28(aa) inserted by [S.I. 2016/1262 reg. 2\(3\)\(d\)\(i\)](#)
- Sch. 1 para. 6(1A)-(1C) inserted by [S.I. 2017/1305 reg. 7\(b\)](#)
- Sch. 1 para. 8(10)(g) inserted by [S.I. 2017/1305 reg. 8\(h\)](#)
- Sch. 1 para. 16(4)(e)(f) inserted by [S.I. 2017/1305 reg. 9\(a\)\(iii\)](#)
- Sch. 1 para. 21(2)(d)(vi) and word inserted by [S.I. 2017/1305 reg. 9\(b\)\(iii\)](#)
- Sch. 1 para. 16(1)(j)(xx) inserted by [S.I. 2018/1346 reg. 3\(b\)](#)
- Sch. 1 para. 8(9)(ba) inserted by [S.I. 2020/23 reg. 7\(a\)\(vii\)](#)
- Sch. 1 para. 8(10)(aa) inserted by [S.I. 2020/23 reg. 7\(a\)\(ix\)](#)
- Sch. 1 para. 16(1)(j)(xvii) inserted by [S.I. 2020/23 reg. 7\(b\)\(i\)](#)
- Sch. 1 para. 16(1)(j)(xxi)(xxii) inserted by [S.I. 2020/23 reg. 7\(b\)\(ii\)](#)
- Sch. 1 para. 18(1)(jb) inserted by [S.I. 2020/23 reg. 7\(c\)](#)
- Sch. 1 para. 16(1)(j)(zi) inserted by [S.I. 2021/29 reg. 6\(b\)\(i\)](#)
- Sch. 1 para. 16(1)(j)(xxiii)-(xxvii) inserted by [S.I. 2021/29 reg. 6\(b\)\(iii\)](#)
- Sch. 1 para. 8(9)(bb)(bc) inserted by [S.I. 2022/25 reg. 5\(2\)\(f\)\(ii\)](#)
- Sch. 1 para. 8(10)(ab)(ac) inserted by [S.I. 2022/25 reg. 5\(2\)\(g\)](#)
- Sch. 1 para. 25(13)(aa) inserted by [S.I. 2022/25 reg. 5\(3\)](#)
- Sch. 1 para. 8(6)(b)(iiia) inserted by [S.I. 2023/16 reg. 6\(2\)\(f\)\(ii\)](#)
- Sch. 1 para. 16(1)(j)(iia) inserted by [S.I. 2023/16 reg. 6\(3\)](#)
- Sch. 1 para. 25(10)(f)(x) inserted by [S.I. 2023/16 reg. 6\(4\)\(a\)](#)
- Sch. 1 para. 25(13)(ba) inserted by [S.I. 2023/16 reg. 6\(4\)\(b\)](#)
- Sch. 1 para. 25(8)(ka) inserted by [S.I. 2019/237 Sch. 1 para. 21\(2\)\(b\)](#)
- Sch. 1 para. 8(11)(a) substituted by [S.I. 2016/211 Sch. 3 para. 135\(2\)](#)
- Sch. 1 para. 16(5)(b)(i)(aa) word substituted by [S.I. 2021/29 reg. 6\(c\)\(i\)](#)
- Sch. 1 para. 16(5)(b)(i)(bb) word substituted by [S.I. 2021/29 reg. 6\(c\)\(ii\)](#)
- Sch. 2 para. 7(1)(aa) inserted by [S.I. 2022/25 reg. 6\(6\)\(b\)](#)

- Sch. 2 para. 8(aa) inserted by S.I. 2022/25 reg. 6(7)
- Sch. 2 para. 6(7)(ba) inserted by S.I. 2023/16 reg. 7(6)(d)
- Sch. 2 para. 7(1)(ab) inserted by S.I. 2023/16 reg. 7(7)(b)
- Sch. 2 para. 7(1)(c) and word inserted by S.I. 2023/16 reg. 7(7)(c)
- Sch. 2 para. 8(d)(e) inserted by S.I. 2023/16 reg. 7(8)
- Sch. 2 para. 1(3)(b) table sum substituted by S.I. 2014/448 reg. 2(2)(a)
- Sch. 2 para. 3(a) sum substituted by S.I. 2021/29 reg. 7(4)
- Sch. 2 para. 3(a) sum substituted by S.I. 2022/25 reg. 6(4)
- Sch. 2 para. 3(a) sum substituted by S.I. 2023/16 reg. 7(4)
- Sch. 2 para. 7(1)(aa) word omitted by S.I. 2023/16 reg. 7(7)(a)
- Sch. 2 para. 12(1)(b)(i) words inserted by S.I. 2015/2041 reg. 2(4)(d)(i)
- Sch. 2 para. 12(1)(b)(ii) words inserted by S.I. 2015/2041 reg. 2(4)(d)(ii)
- Sch. 4 para. 3(2)(ab) inserted by S.I. 2017/863 Sch. 2 para. 8(2)
- Sch. 4 para. 10(2)(b)(ii)(bb) substituted by S.I. 2015/2041 reg. 2(6)
- Sch. 5 para. 25 inserted by S.I. 2021/29 reg. 8(b)
- Sch. 5 para. 1(1)(g) substituted by S.I. 2017/1305 reg. 14(a)
- Sch. 6 para. 21(1)(f) inserted by S.I. 2013/3181 reg. 2(12)(a)(i)
- Sch. 6 para. 21(2)(p) inserted by S.I. 2013/3181 reg. 2(12)(a)(iv)
- Sch. 6 para. 22(2)(f) inserted by S.I. 2013/3181 reg. 2(12)(b)
- Sch. 6 para. 29A inserted by S.I. 2013/3181 reg. 2(12)(c)
- Sch. 6 para. 21(2)(q) and word inserted by S.I. 2014/3312 reg. 2(10)(a)(ii)
- Sch. 6 para. 29ZA inserted by S.I. 2014/513 Sch. para. 22(b)
- Sch. 6 para. 28A inserted by S.I. 2015/1985 art. 39(4)
- Sch. 6 para. 29B inserted by S.I. 2015/2041 reg. 2(8)
- Sch. 6 para. 29(f) and word inserted by S.I. 2015/643 Sch. para. 36(8)(d)
- Sch. 6 para. 16A inserted by S.I. 2017/1305 reg. 15(b)
- Sch. 6 para. 29C inserted by S.I. 2017/1305 reg. 15(d)
- Sch. 6 para. 16(1A) inserted by S.I. 2020/23 reg. 11(a)(ii)
- Sch. 6 para. 21(2)(r)-(t) inserted by S.I. 2020/23 reg. 11(b)(ii)
- Sch. 6 para. 16(1B) inserted by S.I. 2021/29 reg. 9(a)(ii)
- Sch. 6 para. 21(g) inserted by S.I. 2021/29 reg. 9(b)(i)
- Sch. 6 para. 21(2)(u)-(x) inserted by S.I. 2021/29 reg. 9(b)(ii)(bb)
- Sch. 6 para. 21(3) inserted by S.I. 2021/29 reg. 9(b)(iii)
- Sch. 6 para. 22(1A)(1B) inserted by S.I. 2021/29 reg. 9(c)(i)
- Sch. 6 para. 22(2)(g) inserted by S.I. 2021/29 reg. 9(c)(ii)
- Sch. 6 para. 29D-29F inserted by S.I. 2021/29 reg. 9(d)
- Sch. 6 para. 16(1C)(1D) inserted by S.I. 2022/25 reg. 9(a)
- Sch. 6 para. 29(g) and word word inserted by S.I. 2017/1305 reg. 15(c)(ii)
- Sch. 6 para. 21(2)(p) word omitted by S.I. 2020/23 reg. 11(b)(i)
- Sch. 6 para. 21(2)(s) word omitted by S.I. 2021/29 reg. 9(b)(ii)(aa)
- Sch. 8 para. 7(7)(aa) inserted by S.I. 2020/23 reg. 12(b)
- reg. 2(8) inserted by S.I. 2014/3312 reg. 2(2)(b)
- reg. 2(8)(b) words substituted by S.I. 2015/2041 reg. 2(2)(b)
- reg. 2(8)(aa) inserted by S.I. 2015/2041 reg. 2(2)(a)
- reg. 3(1) reg. 3 renumbered as reg. 3(1) by S.I. 2021/29 reg. 4(a)
- reg. 3(2)(3) inserted by S.I. 2021/29 reg. 4(b)
- reg. 4(b) words substituted by S.I. 2020/23 reg. 4
- reg. 6(3)(c) and word inserted by S.I. 2014/3312 reg. 2(3)(b)
- reg. 8(5)(na) inserted by S.I. 2013/3181 reg. 2(4)(b)(ii)
- reg. 12(4)(aa)(ab) inserted by S.I. 2013/3181 reg. 2(5)(a)
- reg. 12(4)(ab) omitted by S.I. 2020/23 reg. 6(a)(ii)
- reg. 12(4A) inserted by S.I. 2020/23 reg. 6(b)
- reg. 12(4A)(a) omitted by S.I. 2021/29 reg. 5(a)(i)
- reg. 12(4A)(b) word omitted by S.I. 2021/29 reg. 5(a)(ii)
- reg. 12(4A)(d) and word inserted by S.I. 2021/29 reg. 5(a)(iii)
- reg. 12(4B) inserted by S.I. 2021/29 reg. 5(b)
- reg. 12(5)(e)(ii) word omitted by S.I. 2022/25 reg. 4(3)(a)
- reg. 12(5)(e)(iv) and word inserted by S.I. 2022/25 reg. 4(3)(b)

- reg. 12(5)(h) word inserted by S.I. 2020/23 reg. 6(c)(i)
- reg. 12(5)(h) words omitted by S.I. 2014/3312 reg. 2(4)(a)
- reg. 12(5)(h)(i) inserted by S.I. 2013/3181 reg. 2(5)(b)(iii)
- reg. 12(5)(i) omitted by S.I. 2020/23 reg. 6(c)(iii)
- reg. 12(5)(ca)-(cc) inserted by S.I. 2021/29 reg. 5(d)
- reg. 12(5)(ha) added by S.I. 2014/3312 reg. 2(4)(c)
- reg. 12(5)(ha) word omitted by S.I. 2020/23 reg. 6(c)(ii)
- reg. 12(5)(za)(zb) inserted by S.I. 2022/25 reg. 4(2)
- reg. 12(5)(zb) word substituted by S.I. 2023/16 reg. 4(a)
- reg. 12(5)(zc) inserted by S.I. 2023/16 reg. 4(b)
- reg. 13(1A) inserted by S.I. 2013/3181 reg. 2(6)(b)
- reg. 13(1A) omitted by S.I. 2022/449 reg. 3(3)
- reg. 16 inserted by S.I. 2022/127 reg. 3(2)
- reg. 17 inserted by S.I. 2023/16 reg. 5