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STATUTORY INSTRUMENTS

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**2017 No. 1305**

**The Council Tax Reduction Schemes  
(Amendment) (England) Regulations 2017**

**Part 3**

**Amendment of Prescribed Requirements**

**Amendment of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012**

**9.** Part 6 (income and capital for the purposes of calculating eligibility for a reduction under an Authority's scheme and amount of reduction) is amended as follows—

- (a) in paragraph 16 (meaning of “income”)—
  - (i) for sub-paragraph (1)(m), substitute—

“(m) a pension paid by a government to victims of National Socialist persecution;”;
  - (ii) in sub-paragraph (2), after “sub-paragraph (1)” where it first appears insert “, or retirement pension income to which section 16(1)(za) to (e) of the State Pension Credit Act 2002 applies(1);”;
  - (iii) after sub-paragraph (4)(d), insert—
    - “(e) section 14 of the Pensions Act 2014 (pension sharing: reduction in sharer's section 4 pension)(2);
    - (f) section 45B or 55B of the Social Security Contributions and Benefits Act 1992 (reduction in additional pension in Category A retirement pension and shared additional pension: pension sharing)(3).”;
- (b) in paragraph 21 (earnings of self-employed earners), in sub-paragraph (2)—
  - (i) in paragraph (b)(i), for “section 26(1)” substitute “section 26 or 26A”;
  - (ii) in paragraph (d)(iv), at the end omit “or”;
  - (iii) in paragraph (d)(v), after “2006” insert—

“or

    - (vi) the persons concerned where the payment is for the provision of accommodation to meet that person's needs for care and support under section 35 or 36 of the Social Services and Well-being (Wales) Act 2014 (respectively, duty and power to meet care and support needs of an adult)(4);

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(1) 2002 c. 16.  
(2) 2014 c. 19.  
(3) 1992 c. 4.  
(4) 2014 anaw 4.

- (da) any payment or part of a payment made by a local authority in accordance with section 26A of the Children (Scotland) Act 1995 (duty to provide continuing care) to a person (“A”) which A passes on to the applicant where A—
  - (i) was formerly in the applicant’s care;
  - (ii) is aged 16 or over; and
  - (iii) continues to live with the applicant;
- (db) any payments made to an applicant under section 73(1)(b) of the Children and Young People (Scotland) Act 2014 (kinship care assistance: further provisions)**(5)**”;
- (c) in paragraph 22 (notional income), in sub-paragraph (6), for “maximum amount of income which may be withdrawn from the fund” substitute “rate of the annuity which may have been purchased with the fund”;
- (d) in paragraph 25 (treatment of childcare charges), in sub-paragraph (10)(c) for “applicant’s applicable amount would include the support component on account of the other member having limited capability for work or the other member of the couple would be” substitute “other member of the couple would be a member of the support group or”.