
STATUTORY INSTRUMENTS

2017 No. 995

The Social Security and Child Support (Care Payments and Tenant Incentive Scheme) (Amendment) Regulations 2017

PART 5

AMENDMENTS RELATING TO THE TENANT INCENTIVE SCHEME

Amendment of the Housing Benefit Regulations 2006

20.—(1) The Housing Benefit Regulations 2006 are amended as follows.

(2) In regulation 12 (rent)(1), after paragraph (2) insert—

“(2A) Where a reduction in any of the payments listed in paragraph (1) for which a person would otherwise be liable is applied by a provider of social housing under an approved tenant incentive scheme, for the purposes of paragraph (1) the amount of the payment is to be treated as if no such reduction has been applied.

(2B) For the purposes of paragraph (2A)—

“approved tenant incentive scheme” means a scheme which is—

- (a) operated by a provider of social housing and designed to avoid rent arrears by allowing reductions in the payments listed at paragraph (1) or other advantages in return for meeting specified conditions; and
- (b) approved by the Secretary of State;

“provider of social housing” means—

- (a) a local authority;
- (b) a non-profit registered provider of social housing(2);
- (c) in relation to accommodation which is social housing, a profit-making registered provider of social housing;
- (d) a registered social landlord;

“registered social landlord” means—

- (a) a body which is registered in the register maintained by the Welsh Ministers under Chapter 1 of Part 1 of the Housing Act 1996(3);
- (b) a body which is registered in the register maintained by the Scottish Housing Regulator under the Housing (Scotland) Act 2010(4);

(1) Relevant amending instruments are [S.I. 2007/1356](#) and [2868](#).

(2) See section 80 of the Housing and Regeneration Act 2008 ([c.17](#)) for the definition of “registered provider of social housing”.

(3) [1996 c.38](#). Section A1, inserted by section 61(2) of the Housing and Regeneration Act 2008, applies that Chapter to the registration of social landlords in Wales.

(4) [2010 asp 17](#).

“social housing” has the meaning given in section 68 of the Housing and Regeneration Act 2008⁽⁵⁾.”.

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

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

(2) In regulation 12 (rent)⁽⁶⁾, after paragraph (2) insert—

“(2A) Where a reduction in any of the payments listed in paragraph (1) for which a person would otherwise be liable is applied by a provider of social housing under an approved tenant incentive scheme, for the purposes of paragraph (1) the amount of the payment is to be treated as if no such reduction has been applied.

(2B) For the purposes of paragraph (2A)—

“approved tenant incentive scheme” means a scheme which is—

- (a) operated by a provider of social housing and designed to avoid rent arrears by allowing reductions in the payments listed at paragraph (1) or other advantages in return for meeting specified conditions; and
- (b) approved by the Secretary of State;

“provider of social housing” means—

- (a) a local authority;
- (b) a non-profit registered provider of social housing;
- (c) in relation to accommodation which is social housing, a profit-making registered provider of social housing;
- (d) a registered social landlord;

“registered social landlord” means—

- (a) a body which is registered in the register maintained by the Welsh Ministers under Chapter 1 of Part 1 of the Housing Act 1996;
- (b) a body which is registered in the register maintained by the Scottish Housing Regulator under the Housing (Scotland) Act 2010;

“social housing” has the meaning given in section 68 of the Housing and Regeneration Act 2008.”.

Amendment of the Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006

22.—(1) The Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations (7) are amended as follows.

(2) In paragraph 5 of Schedule 3 (transitional and savings provisions), in the substituted regulation 12 (rent) as set out in sub-paragraph (1) of that paragraph, after paragraph (6) insert—

“(6A) Where a reduction in any of the payments listed in paragraph (1) for which a person would otherwise be liable is applied by a provider of social housing under an approved tenant incentive scheme, for the purposes of paragraph (1) the amount of the payment is to be treated as if no such reduction has been applied.

(5) 2008 c.17.

(6) Relevant amending instruments are [S.I. 2007/1356](#) and [2869](#).

(7) [S.I. 2006/217](#).

(6B) For the purposes of paragraph (6A)—

“approved tenant incentive scheme” means a scheme which is—

- (a) operated by a provider of social housing and designed to avoid rent arrears by allowing reductions in the payments listed at paragraph (1) or other advantages in return for meeting specified conditions; and
- (b) approved by the Secretary of State;

“provider of social housing” means—

- (a) a local authority;
- (b) a non-profit registered provider of social housing;
- (c) in relation to accommodation which is social housing, a profit-making registered provider of social housing;
- (d) a registered social landlord;

“registered social landlord” means—

- (a) a body which is registered in the register maintained by the Welsh Ministers under Chapter 1 of Part 1 of the Housing Act 1996;
- (b) a body which is registered in the register maintained by the Scottish Housing Regulator under the Housing (Scotland) Act 2010;

“social housing” has the meaning given in section 68 of the Housing and Regeneration Act 2008.”.