

## SCHEDULE 5

### Amendment of the Housing Benefit Regulations 2006

#### **Amendment of regulation 2 (interpretation)**

**2.** In regulation 2(1)—

(a) after the definition of “child”, insert—

““child disability payment” has the meaning given in regulation 2 of the DACYP Regulations;”;

(b) in the definition of “child who cannot share a bedroom”, for paragraph (a) substitute—

“(a) who is entitled to—

(i) the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Act; or

(ii) the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations; and”;

(c) after the definition of “Crown tenant”, insert—

““the DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;”;

(d) in the definition of “member of a couple who cannot share a bedroom”, after paragraph (a) (ii), insert—

“(iia) the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;

(e) in the definition of “person who requires overnight care”, in paragraph (a)—

(i) after sub-paragraph (ii), insert—

“(iiza) is in receipt of the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;”;

(ii) in sub-paragraph (iii), after “(i)” insert “, (iiza)”.