
STATUTORY INSTRUMENTS

2023 No. 1218

The Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023 (Consequential Amendments) Order 2023

Part 3

England and Wales and Scotland

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

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

(2) In regulation 2 (interpretation), after the definition of “care home” insert—

““carer support payment” means carer’s assistance given in accordance with the Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023⁽²⁾”.

(3) In regulation 29 (meaning of income), after paragraph (4)(f) insert—

“(g) regulation 16(2) of the Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023.”.

(4) In Schedule 3 (applicable amounts)—

(a) in paragraph 5—

(i) at the end of sub-paragraph (1)(a) omit “and”;

(ii) at the end of sub-paragraph (1)(b) insert “and”;

(iii) after sub-paragraph (1)(b) insert—

“(c) in the case of carer support payment, any period during which, apart from regulation 16 of the Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023, he would be in receipt of that benefit.”;

(iv) in sub-paragraph (2)—

(aa) after “by virtue of sub-paragraph (1)(a)” insert “or carer support payment by virtue of sub-paragraph (1)(c)”;

(bb) after “the allowance” insert “or payment”;

(b) in paragraph 6—

(i) in sub-paragraph (2)(a)(iii), after “carer’s allowance under section 70 of the Act” insert “or carer support payment”;

(ii) in the words after sub-paragraph (2)(b)(iii)—

(aa) after “carer’s allowance” insert “or carer support payment”;

(1) S.I. 2006/214; relevant amending instruments are S.I. 2007/719, 2009/583, 2009/1676, 2013/388, 2013/591, 2015/1754, 2017/1015, 2018/228, 2021/786 and 2022/177.

(2) S.S.I. 2023/302.

- (bb) after “such an allowance” insert “or payment”;
- (iii) in sub-paragraph (7)(b), after “carer’s allowance” insert “or carer support payment”;
- (iv) in sub-paragraph (8)(a), after “carer’s allowance” insert “or carer support payment”;
- (c) in paragraph 9, after “carer’s allowance”, in each place it occurs, insert “or carer support payment”;
- (d) in paragraph 12—
 - (i) in sub-paragraph (1)(b)(i), after “carer’s allowance” insert “or carer support payment”;
 - (ii) in sub-paragraph (1)(b)(ii), after “such an allowance” insert “or payment”.
- (5) In Schedule 5 (amounts to be disregarded in the calculation of income other than earnings), after paragraph 24 insert—

“**25.** Any amount of carer support payment that is in excess of the amount the claimant would receive if they had an entitlement to carer’s allowance under section 70 of the Act.”.