

SCHEDULE 13

All applicants: matters that must be included in an authority's scheme — other matters

PART 1

Applications

Date on which an application is made

2.—(1) Subject to sub-paragraph (7), the date on which an application is made is—

- (a) in a case where—
 - (i) an award of state pension credit which comprises a guarantee credit has been made to the applicant or the applicant's partner, and
 - (ii) the application for a reduction under an authority's scheme is made within one month of the date on which the claim for that state pension credit which comprises a guarantee credit was received at the appropriate DWP office,
the first day of entitlement to state pension credit which comprises a guarantee credit arising from that claim;
- (b) in a case where—
 - (i) an applicant or the applicant's partner is a person in receipt of a guarantee credit,
 - (ii) the applicant becomes liable for the first time to pay council tax in respect of the dwelling which the applicant occupies as the applicant's home, and
 - (iii) the application to the authority is received at the designated office within one month of the date of the change,
the day on which the change takes place;
- (c) in a case where—
 - (i) an award of income support, an income-based jobseeker's allowance or an income-related employment and support allowance or an award of universal credit has been made to the applicant or the applicant's partner, and
 - (ii) the application for a reduction under an authority's scheme is made within one month of the date on which the claim for that income support, jobseeker's allowance, employment and support allowance or universal credit was received,
the first day of entitlement to income support, an income-based jobseeker's allowance, an income-related employment and support allowance or universal credit arising from that claim;
- (d) in a case where—
 - (i) an applicant or the applicant's partner is a person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance or has an award of universal credit,
 - (ii) the applicant becomes liable for the first time to pay council tax in respect of the dwelling which the applicant occupies as the applicant's home, and
 - (iii) the application to the authority is received at the designated office within one month of the date of the change,
the date on which the change takes place;
- (e) in a case where—

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- (i) the applicant is the former partner of a person who was, at the date of that person's death or the separation of the applicant and that person, entitled to a reduction under an authority's scheme, and
 - (ii) where the applicant makes an application for a reduction under an authority's scheme within one month of the date of the death or the separation,
the date of the death or separation;
 - (f) except where paragraph (a), (b) or (e) is satisfied, in a case where a properly completed application is received at the designated office within one month (or such longer period as the authority considers reasonable) of the date on which an application form was issued to the applicant following the applicant first notifying, by whatever means, the authority of an intention to make an application, the date of first notification;
 - (g) in any other case, the date on which the application is received at the designated office.
- (2) For the purposes only of sub-paragraph (1)(c) a person who has been awarded an income-based jobseeker's allowance or an income-related employment and support allowance is to be treated as entitled to that allowance for any days which immediately precede the first day in that award and on which the person would, but for regulations made under—
- (a) in the case of income-based jobseeker's allowance, paragraph 4 of Schedule 1 to the Jobseekers Act 1995 (waiting days); or
 - (b) in the case of income-related employment and support allowance, paragraph 2 of Schedule 2 to the Welfare Reform Act 2007 (waiting days),
- have been entitled to that allowance.
- (3) Where the defect referred to in paragraph 7 of Schedule 12 (telephone application)—
- (a) is corrected within one month (or such longer period as an authority considers reasonable) of the date the authority last drew attention to it, the authority is to treat the application as if it had been duly made in the first instance;
 - (b) is not corrected within one month (or such longer period as an authority considers reasonable) of the date the authority last drew attention to it, the authority is to treat the application as if it had been duly made in the first instance where it considers it has sufficient information to decide on the application;
- (4) An authority is to treat a defective application as if it had been validly made in the first instance if, in any particular case, the conditions specified in sub-paragraph (5)(a), (b) or (c) are satisfied.
- (5) The conditions are that—
- (a) where paragraph 4(a) of Schedule 12 (incomplete form) applies, the authority receives at the designated office the properly completed application or the information requested to complete it or the evidence within one month of the request, or such longer period as the authority considers reasonable;
 - (b) where paragraph 4(b) of Schedule 12 (application not on approved form or further information requested by authority) applies—
 - (i) the approved form sent to the applicant is received at the designated office the authority properly completed within one month of it having been sent to the applicant; or, as the case may be,
 - (ii) the applicant supplies whatever information or evidence was requested under paragraph 4 of Schedule 12 within one month of the request,or, in either case, within such longer period as the authority considers reasonable; or

(c) where the authority has requested further information, the authority receives at the designated office the properly completed application or the information requested within one month of the request or within such longer period as the authority considers reasonable.

(6) Except in the case of an application made by a person treated as not being in Great Britain, where a person has not become liable for council tax to an authority but it is anticipated that the person will become so liable within the period of 13 weeks (the relevant period), the person may apply for a reduction under an authority's scheme at any time in that period in respect of that tax and, provided that liability arises within the relevant period, the authority is to treat the application as having been made on the day on which the liability for the tax arises.

(7) Except in the case of an application made by a person treated as not being in Great Britain, where the applicant is not entitled to a reduction under an authority's scheme at the time that the application is received by an authority but the authority is of the opinion that, unless there is a change of circumstances, the applicant will be entitled to a reduction under its scheme for a period beginning not later than the thirteenth reduction week following the date on which the application is made (or such other period as the authority considers reasonable), the authority may treat the application as made on a date in the reduction week immediately preceding the first reduction week of that period of entitlement and award a reduction accordingly.