

Housing Benefit and Council Tax Benefit

Urgent Bulletin

Department for Work and Pensions
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HB/CTB U3/2006

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| Who should read | All Housing Benefit and Council Tax Benefit staff |
| Action | For information |
| Subject | Consolidation of the Housing Benefit and Council Tax Benefit Regulations – new Regulations coming into force |

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Consolidation of the Housing Benefit and Council Tax Benefit Regulations – new Regulations coming into force

Introduction

- 1 The following Regulations have today (Friday 10 February 2006) been laid in the Houses of Parliament and will come into force on 6 March 2006:
 - The Housing Benefit Regulations 2006 (SI.2006/213)
 - The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (SI.2006/214)
 - The Council Tax Benefit Regulations 2006 (SI. 2006/215)
 - The Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (SI.2006/216)
 - The Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006 (SI. 2006/217)

- 2 These sets of Regulations consolidate the
 - Housing Benefit (General) Regulations 1987 (SI. 1987/1971)
 - Council Tax Benefit (General) Regulations 1992 (SI. 1992/1814), and
 - all subsequent amending regulations since the coming into force of those Regulations

- 3 In particular, they include the
 - Housing Benefit and Council Tax Benefit (State Pension Credit) Regulations 2003 (SI 2003/325)
 - Housing Benefit (Recovery of Overpayments) Regulations 1997 (SI 1997/2435),
 - Housing Benefit (Information from Landlords and Agents) Regulations 1997 (SI 1997/2436)
 - Supply of Information Regulations 1998 (SI 1998/662),
 - Social Security (Claims and Information) (Housing Benefit and Council Tax Benefit) Regulations 2002 (SI 2002/1132)
 - regulations 7 and 8 of The Income-related Benefits Schemes Amendment (No.2) regulations 1995 (SI 1995/2792)

Are there any changes to the way the law works, or how HB/CTB is administered?

- 4 The Regulations have not altered the way the law works. Nor do they alter the way you administer HB or CTB. In fact we hope that it will make it easier for you to find particular regulations and to know which regulations are applicable to which group of people. It was with this aim in mind that we have laid two sets of regulations for each benefit, the
- Housing Benefit Regulations 2006 (the HB Regs) and the Council Tax Benefit Regulations 2006 (the CTB Regs) that apply to people who have not attained the qualifying age for state pension credit or who have attained that age but remain in receipt of Income Support or income-based Jobseeker's Allowance
 - Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (referred to as the HB(SPC) Regs) and the Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (referred to as the CTB(SPC) Regs) that apply to those who have attained that age and are not in receipt of Income Support or income-based Jobseeker's Allowance

Local Housing Allowance scheme

- 5 Pathfinder Authorities taking part in the Local Housing Allowance scheme will find that the regulations applicable to the scheme are to be found in regulation 122 and Schedule 10 to the HB Regs or regulation 103 and Schedule 9 to the HB(SPC) Regs

The Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006

- 6 These Regulations (referred to as 'the CP Regs') contain in
- **Schedule 1** – revocations, ie a list of all the SI's or parts of SI's that have been revoked as a result of the consolidation of the HB and CTB regulations
 - **Schedule 2** – consequential amendments to other regulations: ie: amendments to references to HB or CTB regulations in, for example, Income Support Regulations
 - **Schedule 3** – savings provisions, eg regulation 10 of the Housing Benefit (General) Regulation 1987 as it stood on 1 January 1996
 - **Schedule 4** – provisions applying to entitlement of refugees to benefit

Changes to forms, leaflets, etc

- 6 It will **not** be necessary to undertake a special exercise to make changes to forms, leaflets etc as they can be made as and when you review them, although it would be helpful if, in the case of decision notices, etc, these could be made as soon as practicable.

Referring to regulations in appeal papers

- 7 When referring to regulations in Appeal papers, etc you should refer to the regulation used to make the decision under appeal. If that decision was made **before** the new consolidated regulations came into force, then reference should be given to the former regulation number. Likewise if the decision under appeal was made **after** the new consolidated regulations came into force, then reference should be made to the new number.

Quick reference tables

- 8 Attached to this Bulletin are two quick reference tables showing the former regulation and Schedule numbers against the new ones. Please use the links below to access these files.
- 9 We will be sending later, by email, a table showing the changes in more detail. It would be helpful if you would, please, not query apparent omissions, etc from the consolidating regulations until you have seen this table.



Quick ref to CTB
Regs1.xls



Quick ref to HB
regs.xls

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