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## STATUTORY INSTRUMENTS

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# 2006 No. 215

## The Council Tax Benefit Regulations 2006

### PART 8

#### Claims

##### Evidence and information

72.—(1) Subject to paragraph (2) and to paragraph 4 of Schedule A1<sup>MI</sup> (treatment of claims for council tax benefit by refugees), a person who makes a claim, or a person to whom council tax benefit has been awarded, shall furnish such certificates, documents, information and evidence in connection with the claim or the award, or any question arising out of the claim or the award, as may reasonably be required by the relevant authority in order to determine that person's entitlement to, or continuing entitlement to council tax benefit and shall do so within [<sup>F1</sup>one month] of being required to do so or such longer period as the relevant authority may consider reasonable.

(2) Nothing in this regulation shall require a person to furnish any certificates, documents, information or evidence relating to a payment to which paragraph (4) applies.

(3) Where a request is made under paragraph (1), the relevant authority shall—

- (a) inform the claimant or the person to whom council tax benefit has been awarded of his duty under regulation 74 (duty to notify change of circumstances) to notify the designated office of any change of circumstances; and
- (b) without prejudice to the extent of the duty owed under regulation 74, indicate to him either orally or by notice or by reference to some other document available to him on application and without charge, the kind of change of circumstances which are to be notified.

(4) This paragraph applies to any of the following payments—

- (a) a payment which is—
  - (i) disregarded under paragraph 24 of Schedule 4 (income in kind) or paragraph 34 of Schedule 5 (certain payments in kind); and
  - (ii) made under the Trusts, the Fund, the Eileen Trust, the Skipton Fund, or the London Bombings Relief Charitable Fund;
- (b) a payment which is disregarded under paragraph 36 of Schedule 4 or under paragraph 24 of Schedule 5 (payments made under certain trusts and certain other payments), other than a payment under the Independent Living Funds;
- (c) a payment which is disregarded under regulation 58(9)(b) or (c) (non-dependant deductions) or paragraph 2(b) or (c) of Schedule 2 (second adult's gross income) other than a payment under the Independent Living Funds.

(5) Where a claimant or a person to whom council tax benefit has been awarded or any partner is aged not less than 60 and is a member of, or a person deriving entitlement to a pension under, a personal pension scheme,<sup>F2</sup> ... he shall where the relevant authority so requires furnish the following information—

*Status: Point in time view as at 19/05/2008. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the The Council Tax Benefit Regulations 2006, Section 72. (See end of Document for details)*

- (a) the name and address of the pension fund holder;
  - (b) such other information including any reference or policy number as is needed to enable the personal pension scheme <sup>F3</sup>... to be identified.
- (6) Where the pension fund holder receives from a relevant authority a request for details concerning a personal pension scheme <sup>F3</sup>... relating to a person or any partner to whom paragraph (5) refers, the pension fund holder shall provide the relevant authority with any information to which paragraph (7) refers.
- (7) The information to which this paragraph refers is—
- (a) where the purchase of an annuity under a personal pension scheme has been deferred, the amount of any income which is being withdrawn from the personal pension scheme;
  - (b) in the case of—
    - (i) a personal pension scheme where income withdrawal is available, the maximum amount of income which may be withdrawn from the scheme; or
    - (ii) a personal pension scheme where income withdrawal is not available, <sup>F4</sup>... the maximum amount of income which might be withdrawn from the fund if the fund were held under a personal pension scheme where income withdrawal was available, calculated by or on behalf of the pension fund holder by means of tables prepared from time to time by the Government Actuary which are appropriate for this purpose.

#### Textual Amendments

- F1** Words in [reg. 72\(1\)](#) substituted (19.5.2008) by [Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2008 \(S.I. 2008/1042\)](#), [regs. 1\(2\)](#), **5(9)**
- F2** Words in [reg. 72\(5\)](#) omitted (16.7.2007) by virtue of [Social Security \(Miscellaneous Amendments\) \(No.3\) Regulations 2007 \(S.I. 2007/1749\)](#), [regs. 1](#), **6(6)(a)**
- F3** Words in [reg. 72\(5\)\(b\)\(6\)](#) omitted (16.7.2007) by virtue of [Social Security \(Miscellaneous Amendments\) \(No.3\) Regulations 2007 \(S.I. 2007/1749\)](#), [regs. 1](#), **6(6)(b)**
- F4** Words in [reg. 72\(7\)\(b\)\(ii\)](#) omitted (16.7.2007) by virtue of [Social Security \(Miscellaneous Amendments\) \(No.3\) Regulations 2007 \(S.I. 2007/1749\)](#) ([S.I. 2007/1749](#)), [regs. 1](#), **6(6)(c)**

#### Marginal Citations

- M1** See the [Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), [regulation 7](#) and [Schedule 4](#), paragraph 3 for regulation 7A and [Schedule A1](#) (claims by refugees).

**Status:**

Point in time view as at 19/05/2008. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Council Tax Benefit Regulations 2006, Section 72.