



Welfare Reform Act 2007

2007 CHAPTER 5

PART 2

HOUSING BENEFIT AND COUNCIL TAX BENEFIT

32 Housing benefit and council tax benefit for persons taking up employment

- (1) Subsection (2) applies if a person is entitled to housing benefit or council tax benefit (by virtue of the general conditions of entitlement) and—
 - (a) he is also entitled to a prescribed benefit or his partner is entitled to such a benefit,
 - (b) he or his partner ceases to be entitled to the prescribed benefit in prescribed circumstances, and
 - (c) the prescribed conditions are satisfied.
- (2) That person is entitled to housing benefit or council tax benefit in accordance with this section for a prescribed period.
- (3) Subsection (2) applies whether or not the person would be entitled to housing benefit or council tax benefit by virtue of the general conditions of entitlement for the whole or any part of the prescribed period.
- (4) A person who is entitled to housing benefit or council tax benefit by virtue of subsection (2) must be treated for all purposes—
 - (a) as having made a claim for that benefit, and
 - (b) as having complied with any requirement under or by virtue of any enactment in connection with the making of such a claim.
- (5) Housing benefit or council tax benefit to which a person is entitled by virtue of subsection (2) is to be funded and administered by the appropriate authority.
- (6) Subsection (5) applies whether or not, for the whole or any part of the prescribed period—
 - (a) for the purposes of establishing an entitlement to housing benefit, the person occupies as his home a dwelling in the area of the authority;

Status: Point in time view as at 01/04/2008. This version of this provision has been superseded.

Changes to legislation: Welfare Reform Act 2007, Section 32 is up to date with all changes known to be in force on or before 11 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) for the purposes of establishing an entitlement to council tax benefit, the person is a resident of a dwelling in the area of the authority.
- (7) The amount of housing benefit or council tax benefit payable in respect of a person who is entitled to the benefit by virtue of subsection (2) is to be determined in accordance with regulations made for the purposes of this section.
- (8) If an amount of housing benefit or council tax benefit is, by virtue of subsection (2), payable in respect of a person by the appropriate authority for any period, no other amount of housing benefit or council tax benefit is (by virtue of the general conditions of entitlement) payable by that authority in respect of that person for the same period.
- (9) Regulations may make provision in connection with the effect of a person's entitlement to housing benefit or council tax benefit by virtue of subsection (2) on an award of such benefit by virtue of the general conditions of entitlement in respect of that person or his partner.
- (10) Regulations may provide that where—
- (a) an amount of housing benefit or council tax benefit is, by virtue of subsection (2), payable in respect of a person by the appropriate authority for the whole or any part of a prescribed period, and
 - (b) an amount of housing benefit or council tax benefit is (by virtue of the general conditions of entitlement) payable by a local authority which is not that appropriate authority in respect of that person for the whole or any part of that period,
- the amount of the benefit payable by the local authority mentioned in paragraph (b) is to be reduced by an amount determined in such manner as is prescribed.
- (11) An amount determined for the purposes of subsection (10) may have the effect of reducing the amount mentioned in paragraph (b) of that subsection to nil.
- (12) Regulations may make provision as to circumstances in which—
- (a) subsection (8) does not apply;
 - (b) entitlement to housing benefit or council tax benefit of a partner of the person mentioned in subsection (10) is to be treated as the entitlement of that person;
 - (c) benefit is not to be reduced as mentioned in subsection (10).
- (13) For the purposes of subsection (1) a person must be treated as entitled to housing benefit or council tax benefit by virtue of the general conditions of entitlement if—
- (a) he is not so entitled to that benefit at the time he or his partner ceases to be entitled to the prescribed benefit as mentioned in subsection (1)(b), and
 - (b) his entitlement to housing benefit or council tax benefit (as the case may be) ceased during the prescribed period before that time.

Commencement Information

II S. 32 in force at 1.4.2008 for specified purposes by [S.I. 2008/411](#), [art. 2\(1\)\(a\)](#)

Status:

Point in time view as at 01/04/2008. This version of this provision has been superseded.

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