
STATUTORY INSTRUMENTS

1992 No. 1814

The Council Tax Benefit (General) Regulations 1992

PART VII

**Benefit periods, changes of circumstances
and increases for exceptional circumstances**

Date on which entitlement is to begin

56.—(1) Subject to paragraph (2) and to regulation 62(13) to (15) (renewal claims) any person by whom or in respect of whom a claim for council tax benefit is made and who is otherwise entitled to that benefit shall be so entitled from the benefit week following the date on which that claim is made or is treated as made.

(2) Where a person is otherwise entitled to council tax benefit and becomes liable for the first time for an appropriate authority's council tax in respect of a dwelling of which he is a resident in the benefit week in which his claim is made or is treated as made, he shall be so entitled from that benefit week.

Benefit period

57.—(1) Where a person is entitled to council tax benefit the appropriate authority shall make an award for a specified period ("the benefit period") commencing with—

- (a) the first benefit week in respect of which he is so entitled; or if later
- (b) the benefit week in which the claim is received at the designated office.

(2) The benefit period shall be such number of benefit weeks as the appropriate authority shall determine having regard in particular to any relevant circumstances which the appropriate authority reasonably expects may affect entitlement in the future.

(3) Subject to paragraph (4), the benefit period shall not exceed 60 benefit weeks.

(4) Where a claimant either is on income support or, although not in receipt thereof, has included in the calculation of his applicable amount the disability premium, the severe disability premium or the higher pensioner premium, and a claim for a further award of council tax benefit has not been made by the last benefit week of his benefit period, the appropriate authority may extend the current benefit period by not more than 4 benefit weeks.

Date on which benefit period is to end

58. The benefit period shall end with the last day of the final week of that period, determined by the appropriate authority in accordance with regulation 57(2) to (4) (benefit period) unless—

- (a) the claimant is a person on income support and he ceases to be so entitled except in cases to which sub-paragraph (b) refers, when the benefit period will end with the last day of the benefit week in which the cessation of his entitlement takes effect in accordance with regulation 59 (date when change of circumstances is to take effect);

- (b) the claimant is a person on income support and he ceases to be so entitled on account of an award of benefit under the Contributions and Benefits Act 1992, when the benefit period will end at the end of the benefit week in which the payment of income support ceases; or
- (c) the appropriate authority determines that some other change of circumstances has occurred which should result in the benefit period ending with an earlier week, when the benefit period will end with the last day of that week.

Date on which change of circumstances is to take effect

59.—(1) Except in cases where regulation 18 (disregard of changes in tax, contributions, etc) applies and subject to paragraphs (2) to (7), a change of circumstances which affects entitlement to, or the amount of, council tax benefit (“change of circumstances”), shall take effect from the first day of the benefit week following the date on which the change actually occurs, and where that change is cessation of entitlement to any benefit under the Contribution and Benefits Act 1992, the date on which the change actually occurs shall be the day immediately following the last day of entitlement to that benefit.

(2) Subject to paragraph (3), where the change of circumstances is a change in the amount of council tax payable, it shall take effect from the day on which it actually occurs.

(3) Where the change of circumstances is a change in the amount a person is liable to pay in respect of council tax in consequence of regulations under section 13 or 80 of the 1992 Act (reduced amounts of council tax) or changes in the discount to which a dwelling may be subject under sections 11, 12 or 79 of that Act, it shall take effect from the day on which the change in amount has effect.

(4) Where the change of circumstances is an amendment to these Regulations, it shall take effect from the date on which the amendment to these Regulations comes into force.

(5) Where the change of circumstances is the claimant’s acquisition of a partner, the change shall have effect on the day on which the acquisition takes place.

(6) Where the change of circumstances is the death of a claimant’s partner or their separation, it shall have effect on the day the death or separation occurs.

(7) If two or more changes of circumstances occurring in the same benefit week would, but for this paragraph, take effect in different benefit weeks in accordance with paragraphs (1) to (6) they shall take effect from the day to which paragraph (2), (3), (5) or (6) above refers, or, where more than one day is concerned, from the earlier day.

Increases of weekly amounts for exceptional circumstances

60. The appropriate authority may modify the provisions of Part VI of these Regulations (amount of benefit) so that, if it considers the circumstances of a person for whom a claim for council tax benefit has been made to be exceptional, the amount of any council tax benefit to be allowed or paid in his case may be increased to an extent which does not cause the total council tax benefit to be allowed or paid to him in any week to exceed—

- (a) the amount

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to which regulation 51(1) refers (maximum council tax benefit); or

- (b) in the case of an alternative maximum council tax benefit the highest of the amounts specified in respect of a day in Schedule 2 (alternative maximum council tax benefit),

multiplied by 7.