
STATUTORY INSTRUMENTS

1995 No. 626

**The Housing Benefit and Council Tax Benefit
(Miscellaneous Amendments) (No. 2) Regulation 1995**

Amendment of the Supply of Information Regulations

10.—(1) The Supply of Information Regulations⁽¹⁾ shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 2(1)⁽²⁾ (information to be supplied by the Secretary of State to an appropriate authority)—

- (a) in sub-paragraph (k) for the words “sub-paragraphs (a) to (j), (l) or (m)” there shall be substituted the words “any of the foregoing or following sub-paragraphs of this paragraph”;
- (b) after sub-paragraph (m) there shall be added the following sub-paragraphs—
 - “(n) that a determination has been made that a claimant or any partner of his—
 - (i) is, or is to be treated as, capable or incapable of work in accordance with the provisions of, and regulations made under, Part XIIIA of the Contributions and Benefits Act 1992⁽³⁾ (incapacity for work),
 - (ii) falls to be disqualified for any period in accordance with regulations made under section 171E of that Act,
 - (iii) is terminally ill within the meaning of section 30B(4) of the Contributions and Benefits Act;
 - (o) the period for which a claimant or any partner of his falls to be disqualified, or is treated as capable of work, in accordance with regulations made under section 171E of the Contributions and Benefits Act;
 - (p) the number of days, or such period, as may be required, in respect of which a determination is made for the purposes of sub-paragraph (n)(i) or (ii);
 - (q) the rate at which a claimant or any partner of his is receiving incapacity benefit;
 - (r) any further information required for the purposes of determining—
 - (i) the treatment of a claimant’s child care charges under regulation 21A of the Housing Benefit Regulations⁽⁴⁾ (treatment of child care charges),
 - (ii) the treatment of a full-time student in respect of a dwelling under regulation 48A of the Housing Benefit Regulations⁽⁵⁾ (full-time students to be treated as not liable to make payments in respect of a dwelling),
 - (iii) the calculation of a student’s eligible rent under regulation 51 of the Housing Benefit Regulations⁽⁶⁾ (eligible rent), or

(1) S.I. 1988/662.

(2) Regulation 2(1) was amended by S.I. 1988/1843, 1992/432, 1994/1925 and 2137.

(3) 1992 c. 4. Part XIIIA was inserted by the Social Security (Incapacity for Work) Act 1994 (c. 18), section 5 and 6.

(4) Regulation 21A was inserted by S.I. 1994/1924.

(5) Regulation 48A was inserted by S.I. 1990/1549 and further amended by S.I. 1990/1657, 1991/235 and 1992/432.

(6) Regulation 51 was amended by S.I. 1991/235, 287 and 1993/1540.

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(iv) a person's applicable amount under paragraph 11 of Schedule 2 to the Housing Benefit Regulations(7) (disability premium),

where that person is incapable, or treated as incapable, of work in accordance with the provisions of, and regulations made under, Part XIIA of the Contributions and Benefits Act.”.

(3) In regulation 3(1) (information to be supplied by an authority to the Secretary of State), after paragraph (c) there shall be inserted the following paragraph—

“(d) that, a claimant was entitled to housing benefit on 1st December 1993, his applicable amount included the disability premium on account of his own incapacity on 12th April 1995 and, he is age 58 or over on 13th April 1995.”.

(7) Paragraph 12 was amended by [S.I. 1988/1971](#), [1990/546](#) and [1991/2742](#).