
STATUTORY INSTRUMENTS

2003 No. 325

**The Housing Benefit and Council Tax Benefit
(State Pension Credit) Regulations 2003**

PART 5

Consequential and Transitional Provisions

Decisions

25.—(1) In both Part II of Schedule 6 to the Housing Benefit Regulations and Part II of Schedule 6 to the Council Tax Benefit Regulations (awards where income support or an income-based jobseeker's allowance is payable)—

- (a) in the italicised heading, after the words “income support”, insert “, state pension credit”;
- (b) paragraph 9 shall be renumbered sub-paragraph (1) of paragraph 9;
- (c) in the re-numbered sub-paragraph (1), after the words “income support” insert “, state pension credit”.

(2) After sub-paragraph (1) of paragraph 9 of Schedule 6 to the Housing Benefit Regulations, insert—

“(2) In a case where a person on state pension credit has entitlement only to the savings credit, the following additional matters shall also be set out—

- (a) the applicable amount and the basis of calculation;
- (b) the amount of the savings credit and any child tax credit [^{F1}or child benefit] taken into account;
- (c) the amount of the person's income and capital as notified to the local authority by the Secretary of State and taken into account for the purposes of the housing benefit assessment;
- (d) any modification of the claimant's income or capital made in accordance with regulation 23 (calculation of claimant's income in savings credit only cases);
- (e) the amount of the claimant's capital if paragraph (7) of regulation 23 applies in his case.”.

(3) After sub-paragraph (1) of paragraph 9 of Schedule 6 to the Council Tax Benefit Regulations, insert—

“(2) In a case where a person on state pension credit has entitlement only to the savings credit, the following additional matters shall also be set out—

- (a) the applicable amount and the basis of calculation;
- (b) the amount of the savings credit and any child tax credit [^{F2}or child benefit] taken into account;

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- (c) the amount of the person’s income and capital as notified to the local authority by the Secretary of State and taken into account for the purposes of the council tax benefit assessment;
- (d) any modification of the claimant’s income or capital made in accordance with regulation 15 (calculation of claimant’s income in savings credit only cases);
- (e) the amount of the claimant’s capital if paragraph (7) of regulation 15 applies in his case.”.

Textual Amendments

- F1** Words in [reg. 25\(2\)](#) substituted (5.10.2003) by [The Housing Benefit and Council Tax Benefit \(State Pension Credit and Miscellaneous Amendments\) Regulations 2003 \(S.I. 2003/2275\)](#), regs. [1\(1\)\(a\)](#), [2\(15\)\(a\)](#)
- F2** Words in [reg. 25\(3\)](#) substituted (5.10.2003) by [The Housing Benefit and Council Tax Benefit \(State Pension Credit and Miscellaneous Amendments\) Regulations 2003 \(S.I. 2003/2275\)](#), regs. [1\(1\)\(a\)](#), [2\(15\)\(b\)](#)

Commencement Information

- I1** [Reg. 25](#) in force at 6.10.2003, see [reg. 1\(1\)\(b\)](#)

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Changes and effects yet to be applied to :

- [reg. 2-27](#) revoked by [S.I. 2006/217 Sch. 1](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- [Sch. 2 First Sch.](#) words inserted by [S.I. 2003/2634 reg. 4\(3\)\(a\)](#)
- [Sch. 2 First Sch.](#) words inserted by [S.I. 2003/2634 reg. 4\(3\)\(b\)\(iv\)](#)
- [Sch. 2 First Sch.](#) words omitted by [S.I. 2003/2634 reg. 4\(3\)\(b\)\(i\)](#)
- [Sch. 2 First Sch.](#) words omitted by [S.I. 2003/2634 reg. 4\(3\)\(b\)\(iii\)](#)
- [Sch. 2 First Sch.](#) words substituted by [S.I. 2003/2634 reg. 4\(3\)\(b\)\(ii\)](#)
- [Sch. 2 First Sch.](#) words substituted by [S.I. 2003/2634 reg. 4\(3\)\(b\)\(iii\)](#)
- [Sch. 2 Second Sch.](#) words substituted by [S.I. 2003/2634 reg. 4\(4\)](#)