
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Housing Benefit and Council Tax Benefit (State Pension Credit) Regulations 2003 (S.I.2003/325), the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971) and the Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814).

Regulation 2 amends regulations 8 and 17 of the Housing Benefit and Council Tax Benefit (State Pension Credit) Regulations 2003 to insert a new paragraph (8) into the substituted regulations 36 and 28, respectively. This paragraph requires relevant authorities to determine the claimant's income and capital in savings credit only cases in the same way for cases where benefits other than housing benefit are annually uprated, as they do in other cases, and to treat the claimant as possessing that income and capital in the same way and for the same period as set out in substituted regulations 36(7) (for housing benefit) and 28(7) (for council tax benefit).

Regulation 3 inserts a new paragraph (7A) into regulation 68B of the Housing Benefit (General) Regulations 1987. This paragraph provides a new effective date for decisions made in consequence of the annual up-rating of benefits and for the purposes of any other change in the those Regulations, as they apply to persons to whom regulation 2 of the Housing Benefit and Council Tax Benefit (State Pension Credit) Regulations 2003 applies.

Regulation 4 inserts a new paragraph (7A) into regulation 59A of the Council Tax Benefit (General) Regulations 1992. This paragraph provides a new effective date for decisions made in consequence of a change in those Regulations as they apply to persons to whom regulation 12 of the Housing Benefit and Council Tax Benefit (State Pension Credit) Regulations 2003 applies.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the cost of business.