
STATUTORY INSTRUMENTS

2006 No. 213

SOCIAL SECURITY

The Housing Benefit Regulations 2006

Made - - - - *2nd February 2006*
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Coming into force *6th March 2006*

THE HOUSING BENEFIT REGULATIONS 2006

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Status: Point in time view as at 01/04/2023.

Changes to legislation: There are currently no known outstanding effects for the The Housing Benefit Regulations 2006. (See end of Document for details)

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Status: Point in time view as at 01/04/2023.

Changes to legislation: There are currently no known outstanding effects for the The Housing Benefit Regulations 2006. (See end of Document for details)

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Status: Point in time view as at 01/04/2023.

Changes to legislation: There are currently no known outstanding effects for the The Housing Benefit Regulations 2006. (See end of Document for details)

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Status: Point in time view as at 01/04/2023.

Changes to legislation: There are currently no known outstanding effects for the The Housing Benefit Regulations 2006. (See end of Document for details)

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PART 1 — Service charges other than for fuel

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 6. (1) Where a charge is ineligible to be met by...
 7. (1) Where rent is payable other than weekly, any amount...
 8. In this Schedule— communal areas mean areas (other than rooms)...

SCHEDULE 2 — Excluded tenancies

1. An excluded tenancy is any tenancy to which any of...
2. (1) Subject to the following sub-paragraphs, where a rent officer...
3. (1) Subject to sub-paragraphs (1A) and (2) , this paragraph...
4. This paragraph applies to a tenancy entered into before—
5. This paragraph applies to a regulated tenancy within the meaning...
6. This paragraph applies to a housing association tenancy which—
7. This paragraph applies to a protected occupancy or statutory tenancy...
8. This paragraph applies to a tenancy at a low rent...
9. This paragraph applies to a tenancy of any dwelling which...
10. This paragraph applies to a tenancy of a housing action...
11. (1) Subject to sub-paragraphs (2) and (3) this paragraph applies...
- 11A This paragraph applies to a shared ownership tenancy.
12. In this Schedule, “rent ” shall be construed in...

SCHEDULE 2 — Excluded tenancies

1. An excluded tenancy is any tenancy to which any of...
2. (1) Subject to the following sub-paragraphs, where a rent officer...
3. (1) This paragraph applies where the landlord is a registered...
4. This paragraph applies to a tenancy entered into before—
5. This paragraph applies to a regulated tenancy within the meaning...
6. This paragraph applies to a housing association tenancy which—
7. This paragraph applies to a protected occupancy or statutory tenancy...
8. This paragraph applies to a tenancy at a low rent...
9. This paragraph applies to a tenancy of any dwelling which...
10. This paragraph applies to a tenancy of a housing action...
11. (1) Subject to sub-paragraphs (2) and (3) this paragraph applies...
12. This paragraph applies to a shared ownership tenancy.
13. In this Schedule, “rent” shall be construed in accordance with...

SCHEDULE 3 — Applicable amounts

PART 1 — Personal allowances

Status: Point in time view as at 01/04/2023.

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1. The amounts specified in column (2) below in respect of...
- 1A For the purposes of paragraph 1 a claimant is entitled...
2. (1) The amount specified in column (2) below in respect...
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3. (1) ...The amount for the purposes of regulations 22(c) and...
PART 3 — Premiums
4. Except as provided in paragraph 5, the premiums specified in...
5. Subject to paragraph 6, where a claimant satisfies the conditions...
6. - The following premiums, namely— (a) a severe disability premium...
7. (1) Subject to sub-paragraph (2), for the purposes of this...
8. Bereavement premium
9. Pensioner Premium for persons under 75
10. Pensioner Premium for persons 75 and over
11. Higher Pensioner Premium
12. Disability Premium
13. Additional Condition for the...Disability Premium
14. Severe Disability Premium
15. Enhanced disability premium
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17. Carer premium
18. Persons in receipt of concessionary payments
19. Person in receipt of benefit
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- 21A Subject to paragraph 22, the claimant is entitled to one,...
22. (1) The claimant has no entitlement under paragraph ... 24...
23. The work-related activity component
24. The support component
PART 6 — Amount of component
25. The amount of the work-related activity component is £33.70
26. The amount of the support component is £44.70 .
PART 7 — Transitional Addition
27. (1) The claimant is entitled to the transitional addition calculated...
28. (1) This paragraph applies where— (a) the claimant's entitlement to...
29. (1) This paragraph applies where— (a) the claimant's entitlement to...
PART 8 — Amount of transitional addition
30. (1) Subject to paragraph 31, the amount of the transitional...
31. (1) Subject to sub-paragraph (2), where there is a change...

SCHEDULE 4 — Sums to be disregarded in the calculation of earnings

1. In the case of a claimant who has been engaged...
2. In the case of a claimant who, before the first...
- 2A In the case of a claimant who has been engaged...
3. (1) In a case to which this paragraph applies and...
4. In a case where the claimant is a lone parent,...
5. (1) In a case to which neither paragraph 3 nor...
6. Where the carer premium is awarded in respect of a...
7. In a case where paragraphs 3, 5, 6 and 8...
8. (1) In a case where paragraphs 3, 4, 5 and...
9. Where the claimant is engaged in one or more employments...
10. In a case to which none of the paragraphs 3...
- 10A (1) Where— (a) the claimant (or if the claimant is...

11. Any amount or the balance of any amount which would...
12. Where a claimant is on universal credit, income support, an...
13. Any earnings derived from employment which are payable in a...
14. Where a payment of earnings is made in a currency...
15. Any earnings of a child or young person.
16. In this Schedule “part-time employment” means employment in which the...
17. (1) In a case where the claimant is a person...

SCHEDULE 5 — Sums to be disregarded in the calculation of income other than earnings

1. Any amount paid by way of tax on income which...
- A2 Any payment made to the claimant in respect of any...
- A3 Any payment made to the claimant in respect of any...
- A4 Any payment made to the claimant in respect of any...
- A5 Any payment made to the claimant in respect of any...
2. Any payment in respect of any expenses incurred or to...
- 2A Any payment in respect of expenses arising out of the...
3. In the case of employment as an employed earner, any...
4. Where a claimant is on universal credit, income support, an...
5. Where the claimant is a member of a joint-claim couple...
6. Any disability living allowance, armed forces independence payment or personal...
7. Any concessionary payment made to compensate for the non-payment of —...
8. Any mobility supplement under article 20 of the Naval, Military...
9. Any attendance allowance.
10. Any payment to the claimant as holder of the Victoria...
11. (1) Any payment— (a) by way of an education maintenance...
12. Any payment made to the claimant by way of a...
13. (1) Any payment made pursuant to section 2 of the...
14. (1) Subject to sub-paragraph (2), any of the following payments—...
15. Subject to paragraph 34, £10 of any of the following,...
16. Subject to paragraph 34, £15 of any—
17. (1) Any income derived from capital to which the claimant...
18. (1) Where a claimant receives income under an annuity purchased...
19. Where the claimant makes a parental contribution in respect of...
20. (1) Where the claimant is the parent of a student...
21. Any payment made to the claimant by a child or...
22. Where the claimant occupies a dwelling as his home and...
23. (1) Any income in kind, except where regulation 40(10)(b) (provision...
24. Any income which is payable in a country outside the...
25. (1) Any payment made to the claimant in respect of...
26. Any payment made to the claimant with whom a person...
27. Any payment made to the claimant or his partner for...
- 27A Any payment made to a claimant under section 73(1)(b) of...
28. Any payment made by a local authority in accordance with...
- 28A (1) Subject to sub-paragraph (2), any payment (or part of...
29. (1) Subject to sub-paragraph (2), any payment received under an...
30. Any payment of income which by virtue of regulation 46...
31. Any social fund payment made pursuant to Part 8 of...
- 31A Any local welfare provision.
32. Any payment under Part 10 of the Act (Christmas bonus...

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- 33. Where a payment of income is made in a currency...
- 34. The total of a claimant's income or, if he is...
- 35. (1) Any payment made under or by the Macfarlane Trust,...
- 36. Any payment made by the Secretary of State to compensate...
- 37. Any payment made by the Secretary of State to compensate...
- 38. Any resettlement benefit which is paid to the claimant by...
- 39. Any payment to a juror or witness in respect of...
- 40. Any community charge benefit.
- 41. Any payment in consequence of a reduction of council tax...
- 42. (1) Where the claimant occupies a dwelling as his home...
- 43. Any special war widows payment made under—
- 44. (1) Any payment or repayment made— (a) as respects England,...
- 45. Any payment made to such persons entitled to receive benefits...
- 46. Any payment made by either the Secretary of State for...
- 47. (1) Where a claimant's applicable amount includes an amount by...
- 47A (1) Any payment of child maintenance made or derived from...
- 48. Any payment made by the Secretary of State to compensate...
- 49. Any payment (other than a training allowance) made, whether by...
- 50. Any guardian's allowance.
- 51. Any council tax benefit.
- 52. (1) If the claimant is in receipt of any...
- 53. Any supplementary pension under article 23(2) of the Naval, Military...
- 54. In the case of a pension awarded at the supplementary...
- 55. (1) Any payment which is— (a) made under any of...
- 55A a
- 55B b
- 56. Except in a case which falls under sub-paragraph (1) of...
- 57. Any payment made ... under section 12B of the Social...
- 58. (1) Subject to sub-paragraph (2), in respect of a person...
- 59. (1) Any payment of a sports award except to the...
- 60. Where the amount of subsistence allowance paid to a person...
- 61. In the case of a claimant participating in an employment...
- 62. Any discretionary housing payment paid pursuant to regulation 2(1) of...
- 63. (1) Any payment made by a local authority or by...
- 64. (1) £1.20 in relation to each week in which child...
- 65. Any payment of child benefit.
- 66. Any payments to a claimant made under section 49 of...
- 67. Any bereavement support payment under section 30 of the Pensions...
- 68. Any payment of carer's allowance supplement made under section 81...
- 69. Any early years assistance given in accordance with section 32...
- 70. Any funeral expense assistance given in accordance with section 34...
- 71. Any Scottish child payment assistance given in accordance with section...
- 72. Any short-term assistance given in accordance with regulations made under...
- 73. Any disability assistance given in accordance with regulations made under...

SCHEDULE 6 — Capital to be disregarded

- 1. The dwelling together with any garage, garden and outbuildings, normally...
- A2 Any payment made to the claimant in respect of any...
- A3 Any payment made to the claimant in respect of any...
- A4 Any payment made to the claimant in respect of any...
- A5 Any payment made to the claimant in respect of any...

2. Any premises acquired for occupation by the claimant which he...
3. Any sum directly attributable to the proceeds of sale of...
4. Any premises occupied in whole or in part—
5. Where a claimant is on universal credit, income support, an...
6. Where the claimant is a member of a joint-claim couple...
7. Any future interest in property of any kind, other than...
8. (1) The assets of any business owned in whole or...
9. (1) Subject to sub-paragraph (2), any arrears of, or any...
- 9A (1) A payment made to rectify, or to compensate for,...
- 9B Any payment of a widowed parent's allowance made pursuant to...
10. Any sum— (a) paid to the claimant in consequence of...
11. Any sum— (a) deposited with a housing association as defined...
12. Any personal possessions except those which have been acquired by...
13. The value of the right to receive any income under...
14. Where the funds of a trust are derived from a...
- 14A (1) Any payment made to the claimant or the claimant's...
15. The value of the right to receive any income under...
16. The value of the right to receive any income which...
17. The surrender value of any policy of life insurance.
18. Where any payment of capital falls to be made by...
19. Any payment made by a local authority in accordance with...
- 19A (1) Subject to sub-paragraph (2), any payment (or part of...
20. Any social fund payment made pursuant to Part 8 of...
- 20A Any local welfare provision.
21. Any refund of tax which falls to be deducted under...
22. Any capital which by virtue of regulation 41 or 64...
23. Where any payment of capital is made in a currency...
24. (1) Any payment made under or by the Macfarlane Trust,...
25. (1) Where a claimant has ceased to occupy what was...
26. Any premises where the claimant is taking reasonable steps to...
27. Any premises which the claimant intends to occupy as his...
28. Any premises which the claimant intends to occupy as his...
29. Any payment made by the Secretary of State to compensate...
30. Any payment made by the Secretary of State to compensate...
31. The value of the right to receive an occupational or...
32. The value of any funds held under a personal pension...
33. The value of the right to receive any rent except...
34. Any payment in kind which is a Grenfell Tower payment,...
35. Any payment made pursuant to section 2 of the 1973...
36. Any community charge benefit.
37. Any payment in consequence of a reduction of council tax...
38. Any grant made to the claimant in accordance with a...
39. Any arrears of supplementary pension which is disregarded under paragraph...
40. (1) Any payment or repayment made— (a) as respects England,...
41. Any payment made to such persons entitled to receive benefits...
- 41A Any payment made under Part 8A of the Act (entitlement...
42. Any payment made either by the Secretary of State for...
43. Any payment (other than a training allowance) made, whether by...
44. Any payment made by a local authority under section 3...
45. (1) Any sum of capital to which sub-paragraph (2) applies...
46. Any sum of capital administered on behalf of a person...
47. Any payment to the claimant as holder of the Victoria...

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- 48. The amount of any child maintenance bonus payable by way...
- 48A a
- 48B b
- 49. In the case of a person who is receiving, or...
- 50. (1) Any payment of a sports award for a period...
- 51. (1) Any payment— (a) by way of an education maintenance...
- 52. In the case of a claimant participating in an employment...
- 53. Any arrears of subsistence allowance paid as a lump sum...
- 54. Where an ex-gratia payment of £10,000 has been made by...
- 55. (1) Subject to sub-paragraph (2), the amount of any trust...
- 56. The amount of any payment, other than a war pension...
- 57. (1) Any payment made by a local authority, or by...
- 58. Any payment made ... regulations made under section 57 of...
- 59. Any payment made to the claimant pursuant to regulations under...
- 60. Any payment made to the claimant in accordance with regulations...
- 61. Any payments to a claimant made under section 49 of...
- 62. (1) Any bereavement support payment in respect of the rate...
- 63. Any payment made under or by a trust, established for...
- 64. Any payment made to a claimant under section 73(1)(b) of...
- 65. Any early years assistance given in accordance with section 32...
- 66. Any funeral expense assistance given in accordance with section 34...
- 67. Any assistance given in accordance with the Carer's Assistance (Young...
- 68. Any winter heating assistance given in accordance with regulations made...

SCHEDULE 7 — Extended payments of housing benefit

The conditions prescribed in this paragraph are that the Secretary...

The conditions prescribed in this paragraph are that the claimant...

(1) Subject to the following provisions of this paragraph and...

Where for any week— (a) a person is entitled to...

In this Schedule— “ claimant ” means a person claiming...

SCHEDULE 8 — Extended Payments (severe disablement allowance and incapacity benefit) of housing benefit

...

SCHEDULE 9 — Matters to be included in decision notice

PART 1 — General

- 1. The statement of matters to be included in any decision...

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2. Every decision notice shall include a statement as to the...
3. Every decision notice shall include a statement as to the...
4. Every decision notice following an application for a revision in...
5. Every decision notice following an application for a revision in...
6. An authority may include in the decision notice any other...
7. Parts 2, 3 and 6 of this Schedule shall apply...
8. Where a decision notice is given following a revision of...
 - PART 2 — Awards where income support, an income-based jobseeker's allowance, an income-related employment and support allowance , an extended payment or an extended payment (qualifying contributory benefits) is payable
9. Where a person on income support, an income-based jobseeker's allowance...
 - PART 3 — Awards where no income support , an income-based jobseeker's allowance or an income-related employment and support allowance is payable
10. Where a person is not on income support, an income-based...
 - PART 4 — Awards where direct payments made to landlords
11. Where a decision has been made under regulation 95 or...
12. In this Schedule, “landlord” has the same meaning as in...
 - PART 5 — Notice where income of non-dependant is treated as claimant's
13. Where an authority makes a decision under regulation 26 (circumstances...
 - PART 6 — Notice where no award is made
14. Where a person is not awarded housing benefit—
 - PART 7 — Notice where recoverable overpayment
15. (1) Where the appropriate authority makes a decision that there...

SCHEDULE 10 — Former pathfinder authorities

PART 1 — Former pathfinder authorities

PART 2 — Application of the Regulations

1. These Regulations shall apply to former pathfinder authorities subject to...
2. Amendment of regulation 2
3. Amendment of regulation 11
4. Amendment of regulation 12B
5. Amendment of regulation 12D
6. Insertion of regulations 12E to 12K
7. Amendment of regulation 13C
8. Amendment of regulation 13D

SCHEDULE 11 — Electronic Communication

PART 1 — Introduction

1. Interpretation
 - PART 2 — Electronic Communication – General Provisions
2. Conditions for the use of electronic communication
3. Use of intermediaries
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4. Effect of delivering information by means of electronic communication
5. Proof of identity of sender or recipient of information
6. Proof of delivery of information
7. Proof of content of information

Explanatory Note

Status:

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