
STATUTORY INSTRUMENTS

2006 No. 213

The Housing Benefit Regulations 2006

PART 6

Income and capital

SECTION 2

Income

Calculation of income on a weekly basis

27.—(1) Subject to regulations 34 (disregard of changes in tax, contributions etc), and 80 and 81 (calculation of weekly amounts and rent free periods) for the purposes of section 130(1)(c) of the Act (conditions of entitlement to housing benefit) the income of a claimant shall be calculated on a weekly basis—

- (a) by estimating the amount which is likely to be his average weekly income in accordance with this Section and Sections 3 to 5 of this Part and Sections 1 and 3 of Part 7;
- (b) by adding to that amount the weekly income calculated under regulation 52 (calculation of tariff income from capital); and
- (c) by then deducting any relevant child care charges to which regulation 28 (treatment of child care charges) applies from any earnings which form part of the average weekly income or, in a case where the conditions in paragraph (2) are met, from those earnings plus whichever credit specified in sub-paragraph (b) of that paragraph is appropriate, up to a maximum deduction in respect of the claimant's family of whichever of the sums specified in paragraph (3) applies in his case.

(2) The conditions of this paragraph are that—

- (a) the claimant's earnings which form part of his average weekly income are less than the lower of either his relevant child care charges or whichever of the deductions specified in paragraph (3) otherwise applies in his case; and
- (b) that claimant or, if he is a member of a couple either the claimant or his partner, is in receipt of either working tax credit or child tax credit.

(3) The maximum deduction to which paragraph (1)(c) above refers shall be—

- (a) where the claimant's family includes only one child in respect of whom relevant child care charges are paid, £175.00 per week;
- (b) where the claimant's family includes more than one child in respect of whom relevant child care charges are paid, £300 per week.

(4) For the purposes of paragraph (1) “income” includes capital treated as income under regulation 41 (capital treated as income) and income which a claimant is treated as possessing under regulation 42 (notional income).

Modifications etc. (not altering text)

- C1** Reg. 27(3)(a) sum confirmed (1.4.2007 for specified purposes, 2.4.2007 in so far as not already in force) by [The Social Security Benefits Up-rating Order 2007 \(S.I. 2007/688\)](#), arts. 1(2)(j), **19(2)(a)**
- C2** Reg. 27(3)(a) sum confirmed (1.4.2008 for specified purposes, 7.4.2008 in so far as not already in force) by [The Social Security Benefits Up-rating Order 2008 \(S.I. 2008/632\)](#), arts. 1(2)(j), **19(3)(a)**
- C3** Reg. 27(3)(a) sum confirmed (for specified purposes and with effect in accordance with art. 1(3)(a) 6 of the amending S.I., in force in so far as not already in force and with effect in accordance with art. 1(3)(a) 6 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2009 \(S.I. 2009/497\)](#), arts. 1(2)(i), **19(3)(a)**
- C4** Reg. 27(3)(a) modified (1.4.2010 for specified purposes, 5.4.2010 in so far as not already in force) by [The Social Security Benefits Up-rating Order 2010 \(S.I. 2010/793\)](#), arts. 1(2)(j), **19(2)(a)**
- C5** Reg. 27(3)(a) sum confirmed (coming into force in accordance with art. 1(2)(j) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2011 \(S.I. 2011/821\)](#), arts. 1(2)(j), **20(2)(a)**
- C6** Reg. 27(3)(a) sum confirmed (1.4.2012 for specified purposes, 2.4.2012) by [The Social Security Benefits Up-rating Order 2012 \(S.I. 2012/780\)](#), arts. 1(2)(j), **20(2)(a)**
- C7** Reg. 27(3)(a) sum confirmed (1.4.2013) by [The Social Security Benefits Up-rating Order 2013 \(S.I. 2013/574\)](#), arts. 1(2)(a), **19(1)(2)(a)**
- C8** Reg. 27(3)(a) sum maintained (1.4.2014 for specified purposes, 7.4.2014 in so far as not already in force) by [The Social Security Benefits Up-rating Order 2014 \(S.I. 2014/516\)](#), arts. 1(2)(g), **17(1)(3)(a)**
- C9** Reg. 27(3)(a) sum maintained (1.4.2015 for specified purposes, 6.4.2015 in so far as not already in force) by [The Social Security Benefits Up-rating Order 2015 \(S.I. 2015/457\)](#), arts. 1(2)(g), **17(1)(3)(a)**
- C10** Reg. 27(3)(a) sum maintained (1.4.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [The Social Security Benefits Up-rating Order 2017 \(S.I. 2017/260\)](#), arts. 1(2)(j), **22(3)(a)**
- C11** Reg. 27(3)(b) sum confirmed (1.4.2007 for specified purposes, 2.4.2007 in so far as not already in force) by [The Social Security Benefits Up-rating Order 2007 \(S.I. 2007/688\)](#), arts. 1(2)(j), **19(2)(b)**
- C12** Reg. 27(3)(b) sum confirmed (1.4.2008 for specified purposes, 7.4.2008 in so far as not already in force) by [The Social Security Benefits Up-rating Order 2008 \(S.I. 2008/632\)](#), arts. 1(2)(j), **19(3)(b)**
- C13** Reg. 27(3)(b) sum confirmed (for specified purposes and with effect in accordance with art. 1(3)(a) 6 of the amending S.I., in force in so far as not already in force and with effect in accordance with art. 1(3)(a) 6 of the amending S.I.) by [The Social Security Benefits Up-rating Order 2009 \(S.I. 2009/497\)](#), arts. 1(2)(i), **19(3)(b)**
- C14** Reg. 27(3)(b) modified (1.4.2010 for specified purposes, 5.4.2010 in so far as not already in force) by [The Social Security Benefits Up-rating Order 2010 \(S.I. 2010/793\)](#), arts. 1(2)(j), **19(2)(b)**
- C15** Reg. 27(3)(b) sum confirmed (coming into force in accordance with art. 1(2)(j) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2011 \(S.I. 2011/821\)](#), arts. 1(2)(j), **20(2)(b)**
- C16** Reg. 27(3)(b) sum confirmed (1.4.2012 for specified purposes, 2.4.2012) by [The Social Security Benefits Up-rating Order 2012 \(S.I. 2012/780\)](#), arts. 1(2)(j), **20(2)(b)**
- C17** Reg. 27(3)(b) sum confirmed (1.4.2013) by [The Social Security Benefits Up-rating Order 2013 \(S.I. 2013/574\)](#), arts. 1(2)(a), **19(1)(2)(b)**
- C18** Reg. 27(3)(b) sum maintained (1.4.2014 for specified purposes, 7.4.2014 in so far as not already in force) by [The Social Security Benefits Up-rating Order 2014 \(S.I. 2014/516\)](#), arts. 1(2)(g), **17(1)(3)(b)**
- C19** Reg. 27(3)(b) sum maintained (1.4.2015 for specified purposes, 6.4.2015 in so far as not already in force) by [The Social Security Benefits Up-rating Order 2015 \(S.I. 2015/457\)](#), arts. 1(2)(g), **17(1)(3)(b)**
- C20** Reg. 27(3)(b) sum maintained (1.4.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [The Social Security Benefits Up-rating Order 2017 \(S.I. 2017/260\)](#), arts. 1(2)(j), **22(3)(b)**

Status:

Point in time view as at 01/04/2017. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Housing Benefit Regulations 2006, Section 27.