
STATUTORY INSTRUMENTS

2006 No. 213

The Housing Benefit Regulations 2006

PART 10

Claims

Evidence and information

86.—(1) Subject to [^{F1}paragraphs (1A) and (2)] and to paragraph 5 of Schedule A1 ^{M1} (treatment of claims for housing benefit by refugees), a person who makes a claim, or a person to whom housing benefit has been awarded, shall furnish such certificates, documents, information and evidence in connection with the claim or the award, or any question arising out of the claim or the award, as may reasonably be required by the relevant authority in order to determine that person's entitlement to, or continuing entitlement to, housing benefit and shall do so within one month of [^{F2}the relevant authority requiring him, or the Secretary of State requesting him, to do so] or such longer period as the relevant authority may consider reasonable.

[^{F3}(1A) Where a person notifies a change of circumstances to the appropriate DWP office under regulation 88(6), the Secretary of State may request that the claimant provides to the relevant authority the information or evidence that the Secretary of State considers the relevant authority may require to determine the claimant's continuing entitlement to housing benefit.]

(2) Nothing in this regulation shall require a person to furnish any certificates, documents, information or evidence relating to a payment to which paragraph (4) applies.

(3) Where a request is made under paragraph (1), the relevant authority shall—

- (a) inform the claimant or the person to whom housing benefit has been awarded of his duty under regulation 88 (duty to notify change of circumstances) to notify the designated office of any change of circumstances; and
- (b) without prejudice to the extent of the duty owed under regulation 88, indicate to him either orally or by notice or by reference to some other document available to him on application and without charge, the kind of change or circumstances which is to be notified.

(4) This paragraph applies to any of the following payments—

(a) a payment which is—

- (i) disregarded under paragraph 23 of Schedule 5 (income in kind) or paragraph 34 of Schedule 6 (certain payments in kind); and
- (ii) made under [^{F4}or by] the Macfarlane Trust, the Macfarlane (Special Payments) Trust, the Macfarlane (Special Payments) (No 2) Trust, the Fund, the Eileen Trust [^{F5}, MFET Limited], the Skipton Fund [^{F6}, the Caxton Foundation] [^{F7}... [^{F8}, the London Emergencies Trust, the We Love Manchester Emergency Fund] or the London Bombings Relief Charitable Fund;

- (b) a payment which is disregarded under paragraph 35 of Schedule 5 or paragraph 24 of Schedule 6 (payments made under certain trusts and certain other payments), other than a payment made under the Independent Living [^{F9}Fund (2006)];
- (c) a payment which is disregarded under regulation 74(9)(b) or (c) (income of non-dependant) other than a payment made under the Independent Living [^{F9}Fund (2006)].
- (5) Where a claimant or a person to whom housing benefit has been awarded or any partner [^{F10}has attained the qualifying age for state pension credit] and is a member of, or a person deriving entitlement to a pension under, a personal pension scheme, ^{F11}... he shall where the relevant authority so requires furnish the following information—
- (a) the name and address of the pension fund holder;
- (b) such other information including any reference or policy number as is needed to enable the personal pension scheme ^{F12}...to be identified.
- (6) Where the pension fund holder receives from a relevant authority a request for details concerning a personal pension scheme ^{F12}...relating to a person or any partner to whom paragraph (5) refers, the pension fund holder shall provide the relevant authority with any information to which paragraph (7) refers.
- (7) The information to which this paragraph refers is—
- (a) where the purchase of an annuity under a personal pension scheme has been deferred, the amount of any income which is being withdrawn from the personal pension scheme;
- (b) in the case of—
- (i) a personal pension scheme where income withdrawal is available, the [^{F13}rate of the annuity which may have been purchased with the funds held under the scheme]; or
- (ii) a personal pension scheme where income withdrawal is not available, ^{F14}...the [^{F15}rate of the annuity which might have been purchased with the fund] if the fund were held under a personal pension scheme where income withdrawal was available,
- calculated by or on behalf of the pension fund holder by means of tables prepared from time to time by the Government Actuary which are appropriate for this purpose.

Textual Amendments

- F1** Words in reg. 86(1) substituted (22.12.2008) by [The Housing Benefit and Council Tax Benefit \(Amendment\) \(No. 3\) Regulations 2008 \(S.I. 2008/2987\)](#), regs. 1, **2(3)(a)(i)**
- F2** Words in reg. 86(1) substituted (22.12.2008) by [The Housing Benefit and Council Tax Benefit \(Amendment\) \(No. 3\) Regulations 2008 \(S.I. 2008/2987\)](#), regs. 1, **2(3)(a)(ii)**
- F3** Reg. 86(1A) inserted (22.12.2008) by [The Housing Benefit and Council Tax Benefit \(Amendment\) \(No. 3\) Regulations 2008 \(S.I. 2008/2987\)](#), regs. 1, **2(3)(b)**
- F4** Words in reg. 86(4)(a)(ii) inserted (1.4.2010 for specified purposes, 5.4.2010 in so far as not already in force) by [The Social Security \(Miscellaneous Amendments\) \(No. 2\) Regulations 2010 \(S.I. 2010/641\)](#), regs. 1(3)(a), **8(5)(e)**
- F5** Words in reg. 86(4)(a)(ii) inserted (1.4.2010 for specified purposes, 5.4.2010 in so far as not already in force) by [The Social Security \(Miscellaneous Amendments\) \(No. 2\) Regulations 2010 \(S.I. 2010/641\)](#), regs. 1(3)(a), **8(3)(f)**
- F6** Words in reg. 86(4)(a)(ii) inserted (31.10.2011) by [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2011 \(S.I. 2011/2425\)](#), regs. 1(2), **19(6)(b)**
- F7** Words in reg. 86(4)(a)(ii) omitted (23.10.2017) by virtue of [The Social Security \(Infected Blood and Thalidomide\) Regulations 2017 \(S.I. 2017/870\)](#), regs. 1, **6(5)**
- F8** Words in reg. 86(4)(a)(ii) inserted (19.6.2017) by [The Social Security \(Emergency Funds\) \(Amendment\) Regulations 2017 \(S.I. 2017/689\)](#), regs. 1, **6(3)(e)**

- F9** Words in reg. 86(4)(b)(c) substituted (17.11.2008) by [The Social Security \(Miscellaneous Amendments\) \(No.6\) Regulations 2008 \(S.I. 2008/2767\)](#), regs. 1(2), **6(4)(e)**
- F10** Words in reg. 86(5) substituted (6.4.2010) by [The Social Security \(Miscellaneous Amendments\) \(No. 2\) Regulations 2010 \(S.I. 2010/641\)](#), regs. 1(1), **8(9)**
- F11** Words in reg. 86(5) omitted (16.7.2007) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2007 \(S.I. 2007/1749\)](#), regs. 1, **4(6)(a)**
- F12** Words in reg. 86(5)(b)(6) omitted (16.7.2007) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2007 \(S.I. 2007/1749\)](#), regs. 1, **4(6)(b)**
- F13** Words in reg. 86(7)(b)(i) substituted (16.11.2017) by [The Social Security \(Miscellaneous Amendments No. 4\) Regulations 2017 \(S.I. 2017/1015\)](#), regs. 1(2), **11(a)**
- F14** Words in reg. 86(7)(b)(ii) omitted (16.7.2007) by virtue of [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2007 \(S.I. 2007/1749\)](#), regs. 1, **4(6)(c)**
- F15** Words in reg. 86(7)(b)(ii) substituted (16.11.2017) by [The Social Security \(Miscellaneous Amendments No. 4\) Regulations 2017 \(S.I. 2017/1015\)](#), regs. 1(2), **11(b)**

Marginal Citations

- M1** See the [Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), **regulation 7** and Schedule 4, paragraph 2 for claims by refugees.

Changes to legislation:

There are currently no known outstanding effects for the The Housing Benefit Regulations 2006, Section 86.