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STATUTORY INSTRUMENTS

2006 No. 214

SOCIAL SECURITY

The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

Made - - - - *2nd February 2006*
Laid before Parliament *10th February 2006*
Coming into force *6th March 2006*

THE HOUSING BENEFIT (PERSONS WHO HAVE ATTAINED THE QUALIFYING AGE FOR STATE PENSION CREDIT) REGULATIONS 2006

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- 22. Applicable amounts

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PART 1 — Service charges other than for fuel

- 1. Ineligible service charges
- 2. Amount ineligible for meals
- 3. Amount of ineligible charges
- 4. Excessive service costs

PART 2 — Payments in respect of fuel charges

- 5. A service charge for fuel except a charge in respect...
- 6. (1) Where a charge is ineligible to be met by...

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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 sub-paragraphs (2) and (3), where a rent...
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...
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

1. The amount specified in column (2) below in respect of...
 2. (1) The amounts specified in column (2) below in respect...
- ##### PART 2 — Family premium
3. (1) The amount for the purposes of regulations 22(1)(c) and...
- ##### PART 3 — Premiums
4. The premiums specified in Part 4 shall, for the purposes...
 5. (1) Subject to sub-paragraph (2), for the purposes of this...
 6. Severe disability premium
 7. Enhanced disability premium
 8. Disabled child premium
 9. Carer premium
 10. Persons in receipt of concessionary payments
 11. Person in receipt of benefit
- ##### PART 4 — Amounts of premiums specified in Part 3
12. Premium Amount (1) Severe Disability Premium (1)

SCHEDULE 4 — Sums disregarded from claimant's earnings

1. Where two or more of paragraphs 2 to 5 apply...
2. In a case where a claimant is a lone parent,...
3. (1) In a case of earnings from any employment or...
4. (1) If the claimant or, if he has a partner,...
5. (1) £20 is disregarded if the claimant or, if he...
- 5A (1) Where— (a) the claimant (or if the claimant is...
6. Any amount or the balance of any amount which would...
7. Except where the claimant or his partner qualifies for a...
8. Any earnings, other than earnings referred to in regulation 33(8)(b)...
9. (1) In a case where the claimant is a person...
10. Where a payment of earnings is made in a currency...

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

1. In addition to any sum which falls to be disregarded...
2. The whole of any amount included in a pension to...

3. Any mobility supplement under article 20 of the Naval, Military...
4. Any supplementary pension under article 23(2) of the Naval, Military...
5. In the case of a pension awarded at the supplementary...
6. (1) Any payment which is— (a) made under any of...
7. £15 of any widowed parent's allowance to which the claimant...
8. £15 of any widowed mother's allowance to which the claimant...
9. Where the claimant occupies a dwelling as his home and...
10. If the claimant— (a) owns the freehold or leasehold interest...
11. Where a claimant receives income under an annuity purchased with...
12. (1) Any payment, other than a payment to which sub-paragraph...
13. Any increase in pension or allowance under Part 2 or...
14. Any payment ordered by a court to be made to...
15. Periodic payments made to the claimant or the claimant's partner...
16. Any income which is payable outside the United Kingdom for...
17. Any banking charges or commission payable in converting to Sterling...
18. Where the claimant makes a parental contribution in respect of...
19. (1) Where the claimant is the parent of a student...
20. (1) Where a claimant's family includes at least one child...
21. Except in a case which falls under paragraph 9 of...
22. Except in the case of income from capital specified in...
23. Any special war widows payment made under—
24. Where the total value of any capital specified in Part...
25. Any amount of carer support payment that is in excess...

SCHEDULE 6 — Capital to be disregarded

PART 1 — Capital to be disregarded generally

1. Any premises acquired for occupation by the claimant which he...
2. Any premises which the claimant intends to occupy as his...
3. Any premises which the claimant intends to occupy as his...
4. Any premises occupied in whole or in part—
5. Any future interest in property of any kind, other than...
6. Where a claimant has ceased to occupy what was formerly...
7. Any premises where the claimant is taking reasonable steps to...
8. All personal possessions.
9. The assets of any business owned in whole or in...
10. The assets of any business owned in whole or in...
11. The surrender value of any policy of life insurance.
12. The value of any funeral plan contract; and for this...
13. Where an ex-gratia payment has been made by the Secretary...
14. (1) Subject to sub-paragraph (2), the amount of any trust...
15. The amount of any payment, other than a war pension,...
16. (1) Any payment made under or by—
17. (1) An amount equal to the amount of any payment...
18. Any amount specified in paragraphs 19, 20, 21 or 26B...
19. Amounts paid under a policy of insurance in connection with...
20. So much of any amounts paid to the claimant or...
21. (1) Subject to paragraph 22 any amount paid—
22. (1) Subject to sub-paragraph (3), any payment of £5,000 or...
- 22A Any payment of a widowed parent's allowance made pursuant to...
23. Where a capital asset is held in a currency other...
24. The value of the right to receive income from an...
25. Capital to be disregarded
26. The dwelling occupied as the home; but only one dwelling...

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- 26A Where a person elects to be entitled to a lump...
- 26AA Where a person chooses a lump sum under section 8(2)...
- 26B Any arrears of supplementary pension which is disregarded under paragraph...
- 26C Any payment made under Part 8A of the Act (entitlement...
- 26D Any payments made ...— (a) by virtue of regulations made...
- 26E Any payment in consequence of a reduction of council tax...
- 26F Any payments to a claimant made under section 49 of...
- 26G (1) Any payment made by a local authority in accordance...
- 26H (1) A payment of bereavement support payment in respect of...
- 26I Any payment made under or by a trust, established for...
- 26J Any sum paid by means of assistance in accordance with...
- 26K Any sum paid by means of winter heating assistance in...
 - PART 2 — Capital disregarded only for the purposes of determining deemed income
- 27. The value of the right to receive any income under...
- 28. The value of the right to receive any rent except...
- 29. The value of the right to receive any income under...
- 30. Where property is held under a trust, other than—

SCHEDULE 7 — Extended payments (severe disablement allowance and incapacity benefit) of housing benefit

- 1. Condition for an extended payment (severe disablement allowance and incapacity benefit)
- 2. Calculation and payment of an extended payment (severe disablement allowance and incapacity benefit)
- 3. Movers
- 4. Movers and rent allowances.
- 5. Movers and rent rebates
- 6. Movers and extended payments (severe disablement allowance and incapacity benefit)
- 7. Maximum housing benefit
- 8. Movers with two homes
- 9. Adjustment of entitlement in respect of an extended payment (severe disablement allowance and incapacity benefit)
- 10. Interpretation

SCHEDULE 8 — Matters to be included in decision notice

PART 1 — General

- 1. The statement of matters to be included in any decision...
- 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 state pension credit or an extended payment (qualifying contributory benefits) is payable
- 9. (1) Where a person on state pension credit is awarded...
 - PART 3 — Awards where no state pension credit is payable
- 10. Where a person is not on state pension credit but...
 - PART 4 — Awards where direct payments made to landlords

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11. Where a decision has been made under regulation 76 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 24 (circumstances...
PART 6 — Notice where no award is made
14. Where a person is not awarded housing benefit—
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15. (1) Where the appropriate authority makes a decision that there...

SCHEDULE 9 — 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
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7. Amendment of regulation 13C
8. Amendment of regulation 13D

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

Explanatory Note

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