

## SCHEDULE 6

### Capital to be disregarded

#### PART 1

##### Capital to be disregarded generally

[<sup>F1</sup>**26A.** Where a person elects to be entitled to a lump sum under Schedule 5 or 5A to the Contributions and Benefits Act or under Schedule 1 to the Graduated Retirement Benefit Regulations, or is treated as having made such an election, and a payment has been made pursuant to that election, an amount equal to—

- (a) except where sub-paragraph (b) applies, the amount of any payment or payments made on account of that lump sum;
- (b) the amount of that lump sum,

but only for so long as that person does not change that election in favour of an increase of pension or benefit.]

#### Textual Amendments

- F1** Sch. 6 para 26A inserted by SI 2005/2677 reg. 11(4) (as amended) (6.4.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), **reg. 1(1), 2** (with [Sch. 3, Sch. 4](#))

**Changes to legislation:**

There are currently no known outstanding effects for the The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006, Paragraph 26A.