

## SCHEDULE 8

Matters to be included in decision notice

### PART 2

Awards where state pension credit [<sup>F1</sup>or an extended payment (qualifying contributory benefits)] is payable

#### Textual Amendments

**F1** Words in Sch. 8 para. 9 heading added (6.10.2008) by virtue of [Housing Benefit and Council Tax Benefit \(Extended Payments\) Amendment Regulations 2008 \(S.I. 2008/959\)](#), regs. 1(1), **6(5)(a)**

9.—(1) Where a person on state pension credit is awarded housing benefit, the decision notice shall include a statement as to—

- (a) his weekly eligible rent, if any; and
- (b) the amount and an explanation of any deduction made under paragraph 6(2) or (3) of Schedule 1 (fuel deductions), if any, and that the deduction may be varied if he provides to the authority evidence on which it may estimate the actual or approximate amount of that service charge; and
- (c) the amount of and the category of non-dependant deductions made under regulation 55 (non-dependant deductions), if any; and
- (d) the normal weekly amount of rent allowance, or rent rebate as the case may be, to which he is entitled; and
- (e) in the case of a rent allowance and a [<sup>F2</sup>rent rebate] paid as if it were a rent allowance, the day of payment, and the period in respect of which payment of that allowance is to be made; and
- (f) the first day of entitlement to an allowance or rebate; and
- (g) his duty to notify any change of circumstances which might affect his entitlement to, or the amount of, housing benefit and (without prejudice to the extent of the duty owed under regulation 69 (duty to notify changes of circumstances)) the kind of change of circumstances which is to be notified, either upon the notice or by reference to some other document available to him on application and without charge.

(2) In a case where a person on state pension credit has entitlement only to the savings credit, the following additional matters shall also be set out—

- (a) the applicable amount and the basis of calculation;
- (b) the amount of the savings credit <sup>F3</sup>... taken into account;
- (c) the amount of the person's income and capital as notified to the local authority by the Secretary of State and taken into account for the purposes of the housing benefit assessment;
- (d) any modification of the claimant's income or capital made in accordance with regulation 27 (calculation of claimant's income in savings credit only cases); and
- (e) the amount of the claimant's capital if paragraph (7) of regulation 27 applies in his case.

**Status:** Point in time view as at 01/07/2013.

**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, PART 2*. (See end of Document for details)

[<sup>F4</sup>(3) Where a claimant is entitled to an extended payment (qualifying contributory benefits) in accordance with regulation 53, the decision notice shall include a statement as to the matters set out in paragraph 9(1).]

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**Textual Amendments**

- F2** Words in Sch. 8 para. 9(1)(e) substituted (19.5.2008) by [Social Security \(Miscellaneous Amendments\) \(No.2\) Regulations 2008 \(S.I. 2008/1042\)](#), regs. 1(2), **4(10)**
- F3** Words in Sch. 8 para. 9(2)(b) omitted by SI 2005/2502 reg. 2(18) (as amended) (3.4.2006) by virtue of [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), reg. 1(1), **Sch. 2 para. 27(18)** (with regs. 2, 3, Sch. 3, Sch. 4)
- F4** Sch. 8 para. 9(3) added (6.10.2008) by [Housing Benefit and Council Tax Benefit \(Extended Payments\) Amendment Regulations 2008 \(S.I. 2008/959\)](#), regs. 1(1), **6(5)(b)**

**Status:**

Point in time view as at 01/07/2013.

**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, PART 2.