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STATUTORY INSTRUMENTS

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**2006 No. 215**

**The Council Tax Benefit Regulations 2006**

**PART 12**

Information

*SECTION 1*

*Claims and information*

**Interpretation**

**91.** In this Section—

[<sup>F1</sup>“county council” means a county council in England, but only if the council has made an arrangement in accordance with regulation 69(4)(g) or 92(3);]

“local authority” means an authority administering council tax benefit;

“relevant authority” means—

- (a) the Secretary of State;
- (b) a person providing services to the Secretary of State; [<sup>F2</sup>or
- (c) a county council;]

“relevant information” means information or evidence relating to the administration of claims to or awards of council tax benefit.

**Textual Amendments**

**F1** Words in reg. 91 inserted (31.10.2007) by [Social Security \(Claims and Information\) Regulations 2007 \(S.I. 2007/2911\)](#), regs. 1(1), **9(3)(a)**

**F2** Words in reg. 91(c) inserted (31.10.2007) by [Social Security \(Claims and Information\) Regulations 2007 \(S.I. 2007/2911\)](#), regs. 1(1), **9(3)(b)**

**Collection of information**

[<sup>F3</sup>**92.**—(1) The Secretary of State, or a person providing services to him, may receive or obtain relevant information from—

- (a) persons making, or who have made, claims for council tax benefit; or
- (b) other persons in connection with such claims.

(2) In paragraph (1) references to persons who have made claims for council tax benefit include persons to whom awards of benefit have been made on those claims.

(3) Where a county council has made an arrangement with a local authority, or a person authorised to exercise any function of a local authority relating to housing benefit or council tax benefit, to

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*Changes to legislation: There are currently no known outstanding effects for the The Council Tax Benefit Regulations 2006, PART 12. (See end of Document for details)*

receive and obtain information and evidence relating to claims for council tax benefit, the council may receive or obtain the information or evidence from—

- (a) persons making claims for council tax benefit; or
- (b) other persons in connection with such claims.

(4) A county council may receive information relating to an award of council tax benefit which is supplied by—

- (a) the person to whom an award has been made; or
- (b) other persons in connection with the award.]

#### Textual Amendments

**F3** Reg. 92 substituted (31.10.2007) by [Social Security \(Claims and Information\) Regulations 2007 \(S.I. 2007/2911\)](#), regs. 1(1), **9(4)**

#### [<sup>F4</sup>Verifying information

**92A.** A relevant authority may verify relevant information supplied to, or obtained by, the authority in accordance with regulation 92.]

#### Textual Amendments

**F4** Reg. 92A inserted (31.10.2007) by [Social Security \(Claims and Information\) Regulations 2007 \(S.I. 2007/2911\)](#), regs. 1(1), **9(5)**

#### Recording and holding information

[<sup>F5</sup>**93.** A relevant authority which obtains relevant information or to whom such information is supplied—

- (a) shall make a record of such information; and
- (b) may hold that information, whether as supplied or obtained or recorded, for the purpose of forwarding it to the person or authority for the time being administering council tax benefit.]

#### Textual Amendments

**F5** Reg. 93 substituted (31.10.2007) by [Social Security \(Claims and Information\) Regulations 2007 \(S.I. 2007/2911\)](#), regs. 1(1), **9(6)**

#### Forwarding of information

**94.** A relevant authority which holds relevant information—

- (a) shall forward it to the person or authority for the time being administering claims to or awards of council tax benefit to which the relevant information relates, being—
  - (i) a local authority;
  - (ii) a person providing services to a local authority; or
  - (iii) a person authorised to exercise any function of a local authority relating to council tax benefit; and

[<sup>F6</sup>(b) may, if the relevant authority is the Secretary of State or a person providing services to the Secretary of State, continue to hold a record of such information, whether as supplied or obtained or recorded, for such period as he considers appropriate.]

#### Textual Amendments

**F6** Reg. 94(b) substituted (31.10.2007) by [Social Security \(Claims and Information\) Regulations 2007 \(S.I. 2007/2911\)](#), regs. 1(1), **9(7)**

#### Request for information

**95.** A relevant authority which holds information or evidence relating to social security matters shall forward such information or evidence as may be requested to the person or authority making that request, provided that—

- (a) the request is made by—
  - (i) a local authority;
  - (ii) a person providing services to a local authority; or
  - (iii) a person authorised to exercise any function of a local authority relating to council tax benefit; and
- (b) the information or evidence requested includes relevant information;
- (c) the relevant authority is able to provide the information or evidence requested in the form in which it was originally supplied or obtained; and
- (d) provision of the information or evidence requested is considered necessary by the relevant authority to the proper performance by a local authority of its functions relating to council tax benefit.

#### SECTION 2

##### *Information between authorities etc.*

#### Information to be supplied by an authority to another authority

[<sup>F7</sup>**96.**—(1) This regulation applies for the purposes of section 128A of the Administration Act (duty of an authority to disclose information to another authority).

- (2) Information is to be disclosed by one authority to another where—
  - (a) there is a mover who is or was allowed council tax benefit by appropriate Authority “A”;
  - (b) the mover is liable to pay council tax in respect of the new dwelling to Authority “B”; and
  - (c) the mover is entitled to an extended payment in accordance with regulation 60.
- (3) Authority A shall disclose to Authority B—
  - (a) the amount of the extended payment calculated in accordance with regulation 60C(2) (amount of extended payment – movers);
  - (b) the date that entitlement to the extended payment will commence or has commenced;
  - (c) the date that entitlement to the extended payment ceased or will cease;
  - (d) the date of the move from Authority A to Authority B;
  - (e) where the extended payment will be paid by Authority A to Authority B in accordance with regulation 60C(3)(a) (payment of the extended payment to the second authority)—

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- (i) the amount that Authority A will pay to Authority B in accordance with that paragraph; and
- (ii) any other information required by Authority B to enable Authority A to make the payment in accordance with that paragraph; and
- (f) if any deduction was being made in respect of a recoverable overpayment.
- (4) Authority B shall disclose to Authority A—
  - (a) if a mover’s liability to pay council tax for the new dwelling is to Authority B; and
  - (b) where the extended payment will be paid by Authority A to Authority B in accordance with regulation 60C(3)(a)—
    - (i) any information required by Authority A to enable Authority A to make the payment in accordance with that paragraph; and
    - (ii) the date on which Authority B receives any such payment.]

#### **Textual Amendments**

- F7** Reg. 96 substituted (6.10.2008) by [The Housing Benefit and Council Tax Benefit \(Extended Payments\) Amendment Regulations 2008 \(S.I. 2008/959\)](#), regs. 1(1), **7(3)**

#### **[<sup>F8</sup>Supply of information – extended payments (qualifying contributory benefits)]**

**97.**—(1) This regulation applies for the purposes of section 122E(3) of the Administration Act (duty of an authority to supply information to another authority).

- (2) Information is to be disclosed by one authority to another where—
  - (a) there is a mover who is or was allowed council tax benefit by appropriate Authority “A”;
  - (b) the mover is liable to pay council tax in respect of the new dwelling to Authority “B”; and
  - (c) the mover is entitled to an extended payment (qualifying contributory benefits) in accordance with regulation 61.
- (3) Authority A shall disclose to Authority B—
  - (a) the amount of the extended payment calculated in accordance with regulation 61C(2) (amount of extended payment – movers);
  - (b) the date that entitlement to the extended payment will commence or has commenced;
  - (c) the date that entitlement to the extended payment ceased or will cease;
  - (d) the date of the move from Authority A to Authority B;
  - (e) where the extended payment will be paid by Authority A to Authority B in accordance with regulation 61C(3)(a) (payment of the extended payment to the second authority)—
    - (i) the amount that Authority A will pay to Authority B in accordance with that paragraph; and
    - (ii) any other information required by Authority B to enable Authority A to make the payment required in accordance with that paragraph; and
  - (f) if any deduction was being made in respect of a recoverable overpayment.
- (4) Authority B shall disclose to Authority A—
  - (a) if a mover’s liability to pay council tax for the new dwelling is to Authority B; and
  - (b) where the extended payment will be paid by Authority A to Authority B in accordance with regulation 61C(3)(a)—

- (i) any information required by Authority A in order to enable Authority A to make the payment in accordance with that paragraph; and
- (ii) the date on which Authority B receives any such payment.]

**Textual Amendments**

**F8** Reg. 97 substituted (6.10.2008) by [The Housing Benefit and Council Tax Benefit \(Extended Payments\) Amendment Regulations 2008 \(S.I. 2008/959\)](#), regs. 1(1), **8(3)**

**[<sup>F9</sup>Supply of benefit administration information between authorities**

**98.**—(1) For the purpose of section 122E(3) of the Administration Act (supply of information between authorities administering benefit) the circumstances in which information is to be supplied and the information to be supplied are set out in paragraph (2).

(2) Where the functions of an authority (“Authority A”) relating to council tax benefit are being exercised, wholly or in part, by another authority (“Authority B”)—

- (a) Authority A must supply to Authority B any benefit administration information it holds which is relevant to, and necessary for, Authority B to exercise those functions; and
- (b) Authority B must supply to Authority A any benefit administration information it holds which is relevant to, and necessary for, Authority A to exercise those functions.

(3) The circumstances in which paragraph (2) applies include cases where the authorities have agreed to discharge functions jointly.

(4) In paragraph (2), “Authority A” and “Authority B” include any person authorised to exercise functions relating to council tax benefit on behalf of the authority in question.

(5) This regulation shall not apply if the person or authority to whom the information is to be supplied agrees that the information need not be supplied.]

**Textual Amendments**

**F9** Heading and reg. 98 inserted (1.10.2008) by [The Housing Benefit and Council Tax Benefit \(Amendment\) Regulations 2008 \(S.I. 2008/2299\)](#), regs. 1, **4(9)**

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