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STATUTORY INSTRUMENTS

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**2006 No. 215**

**The Council Tax Benefit Regulations 2006**

**PART 7**

Changes of circumstances and increases for exceptional circumstances

**Date on which change of circumstances is to take effect**

**67.**—(1) Except in cases where regulation 24 (disregard of changes in tax, contributions, etc) [<sup>F1</sup>applies, and subject to regulation 8(3) of the Decisions and Appeals Regulations, and] the following provisions of this regulation, a change of circumstances which affects entitlement to, or the amount of, council tax benefit (“change of circumstances”), shall take effect from the first day of the benefit week following the date on which the change actually occurs, and where that change is cessation of entitlement to any benefit under the benefit Acts, the date on which the change actually occurs shall be the day immediately following the last day of entitlement to that benefit.

(2) Subject to paragraph (3), where the change of circumstances is a change in the amount of council tax payable, it shall take effect from the day on which it actually occurs.

(3) Where the change of circumstances is a change in the amount a person is liable to pay in respect of council tax in consequence of regulations under section 13 or 80 of the 1992 Act <sup>M1</sup> (reduced amounts of council tax) or changes in the discount to which a dwelling may be subject under sections 11, 12 or 79 of that Act <sup>M2</sup>, it shall take effect from the day on which the change in amount has effect.

(4) Where the change of circumstances is an amendment to these Regulations, it shall take effect from the date on which the amendment to these Regulations comes into force.

(5) Where the change of circumstances is the claimant's acquisition of a partner, the change shall have effect on the day on which the acquisition takes place.

(6) Where the change of circumstances is the death of a claimant's partner or their separation, it shall have effect on the day the death or separation occurs.

(7) If two or more changes of circumstances occurring in the same benefit week would, but for this paragraph, take effect in different benefit weeks in accordance with paragraphs (1) to (6) they shall take effect from the day to which the appropriate paragraph from (2) to (6) above refers, or, where more than one day is concerned, from the earlier day.

(8) Where the change of circumstances is that income, or an increase in the amount of income, other than a benefit or an increase in the amount of a benefit under the Act, is paid in respect of a past period and there was no entitlement to income of that amount during that period, the change of circumstances shall take effect from the first day on which such income, had it been paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes of these Regulations.

(9) Without prejudice to paragraph (8), where the change of circumstances is the payment of income, or arrears of income, in respect of a past period, the change of circumstances shall take effect from the first day on which such income, had it been timeously paid in that period at intervals

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*Changes to legislation: There are currently no known outstanding effects for the The Council Tax Benefit Regulations 2006, Section 67. (See end of Document for details)*

appropriate to that income, would have fallen to be taken into account for the purposes of these Regulations.

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**Textual Amendments**

- F1** Words in reg. 67(1) substituted (24.9.2007) by [Social Security \(Miscellaneous Amendments\) \(No.4\) Regulations 2007 \(S.I. 2007/2470\)](#), regs. 1, **6(2)**

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**Marginal Citations**

- M1** Section 13 was amended by the [Local Government Act 2003 \(c. 26\)](#), [section 127](#) and Schedule 7, paragraph 42; section 80 by the Local Government etc. (Scotland) Act 1994, section 180 and Schedule 13, paragraph 176(4).
- M2** Section 11 was amended by the [Local Government Act 2003 \(c. 26\)](#), [section 127](#) and Schedule 7, paragraph 41; section 12 was substituted by the Local Government Act 2003, section 75(2); section 79 was amended by [S.S.I. 2005/51](#), [regulation 2](#).

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