

### SCHEDULE 3

#### Sums to be disregarded in the calculation of earnings

**16.—**(1) In a case where the claimant is a person who satisfies at least one of the conditions set out in sub-paragraph (2), and his net earnings equal or exceed the total of the amounts set out in sub-paragraph (3), the amount of his earnings that falls to be disregarded under [<sup>F1</sup>paragraphs 3 to 10A] of this Schedule shall be increased by [<sup>F2</sup>£17.10.]

(2) The conditions of this sub-paragraph are that—

(a) the claimant, or if he is a member of a couple, either the claimant or his partner, is a person to whom regulation 20(1)(c) of the Working Tax Credit Regulations applies; or

(b) the claimant—

(i) is, or if he is a member of a couple, at least one member of that couple is aged at least 25 and is engaged in remunerative work for on average not less than 30 hours per week; or

(ii) is a member of a couple and—

(aa) at least one member of that couple, is engaged in remunerative work for on average not less than 16 hours per week; and

(bb) his applicable amount includes a family premium under paragraph 3 of Schedule 1; or

(iii) is a lone parent who is engaged in remunerative work for on average not less than 16 hours per week; or

(iv) is, or if he is a member of a couple, at least one member of that couple is engaged in remunerative work for on average not less than 16 hours per week; and—

[<sup>F3</sup>(aa) the claimant's applicable amount includes a disability premium under paragraph 12, the work-related activity component under paragraph 23 or the support component under paragraph 24 of Schedule 1 respectively;]

(bb) where he is a member of a couple, at least one member of that couple satisfies the qualifying conditions for the higher pensioner premium or disability premium [<sup>F4</sup>or either of the components] referred to in sub-head (aa) above and is engaged in remunerative work for on average not less than 16 hours per week; or

(c) the claimant is, or if he has a partner, one of them is, a person to whom regulation 18(3) of the Working Tax Credit Regulations (eligibility for 50 plus element) applies, or would apply if an application for working tax credit were to be made in his case.

(3) The following are the amounts referred to in sub-paragraph (1)—

(a) the amount calculated as disregardable from the claimant's earnings under [<sup>F5</sup>paragraphs 3 to 10A] of this Schedule;

(b) the amount of child care charges calculated as deductible under regulation 17(1)(c); and [<sup>F6</sup>(c) £17.10.]

(4) The provisions of regulation 6 shall apply in determining whether or not a person works for on average not less than 30 hours per week, but as if the reference to 16 hours in paragraph (1) of that regulation were a reference to 30 hours.

**Changes to legislation:** There are currently no known outstanding effects for the The Council Tax Benefit Regulations 2006, Paragraph 16. (See end of Document for details)

---

### Textual Amendments

- F1** Words in Sch. 3 para. 16(1) substituted (1.4.2010) by [The Housing Benefit and Council Tax Benefit \(Miscellaneous Amendments\) Regulations 2009 \(S.I. 2009/2608\)](#), regs. 1(2), **4(2)(b)**
- F2** Word in Sch. 3 para. 16(1) substituted (1.4.2010) by [The Social Security Benefits Up-rating Order 2010 \(S.I. 2010/793\)](#), arts. 1(2)(a), **21(9)**
- F3** Sch. 3 para. 16(2)(b)(iv)(aa) substituted (27.10.2008) by [The Employment and Support Allowance \(Consequential Provisions\) Regulations 2008 \(S.I. 2008/1082\)](#), regs. 1, **61(c)(i)**
- F4** Words in Sch. 3 para. 16(2)(b)(iv)(bb) inserted (27.10.2008) by [The Employment and Support Allowance \(Consequential Provisions\) Regulations 2008 \(S.I. 2008/1082\)](#), regs. 1, **61(c)(ii)**
- F5** Words in Sch. 3 para. 16(3) substituted (1.11.2010) by [The Housing Benefit and Council Tax Benefit \(Miscellaneous Amendments\) Regulations 2010 \(S.I. 2010/2449\)](#), regs. 1(2), **4(6)**
- F6** Word in Sch. 3 para. 16(3)(c) substituted (1.4.2010) by [The Social Security Benefits Up-rating Order 2010 \(S.I. 2010/793\)](#), arts. 1(2)(a), **21(9)**

---

### Modifications etc. (not altering text)

- C1** Sch. 3 para. 16(1) sum confirmed (1.4.2011 coming into force in accordance with art. 1(2)(k)) by [The Social Security Benefits Up-rating Order 2011 \(S.I. 2011/821\)](#), arts. 1(2)(k), **22(9)**
- C2** Sch. 3 para. 16(1) sum confirmed (1.4.2012) by [The Social Security Benefits Up-rating Order 2012 \(S.I. 2012/780\)](#), art. 1(2)(k)**reg. 22(9)**
- C3** Sch. 3 para. 16(3)(c) sum confirmed (1.4.2011 coming into force in accordance with art. 1(2)(k)) by [The Social Security Benefits Up-rating Order 2011 \(S.I. 2011/821\)](#), arts. 1(2)(k), **22(9)**
- C4** Sch. 3 para. 16(3)(c) sum confirmed (1.4.2012) by [The Social Security Benefits Up-rating Order 2012 \(S.I. 2012/780\)](#), art. 1(2)(k)**reg. 22(9)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Council Tax Benefit Regulations 2006, Paragraph 16.