
STATUTORY INSTRUMENTS

2006 No. 216

The Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

PART 2

Membership of a family

Persons of prescribed description for the definition of family in section 137(1) of the Act

9.—(1) Subject to paragraph (2), a person of a prescribed description for the purposes of section 137(1) of the Act (definition of family) as it applies to council tax benefit is a person aged 16 or over but under 19 who is treated as a child for the purposes of section 142 of the Act (meaning of child), and in these Regulations such a person is referred to as a “young person”.

(2) Paragraph (1) shall not apply to a person who is—

- (a) on income support or an income-based jobseeker’s allowance;
- (b) receiving advanced education within the meaning of regulation 12(2) of the Income Support Regulations⁽¹⁾ (relevant education); or
- (c) a person to whom section 6 of the Children (Leaving Care) Act 2000⁽²⁾ (exclusion from benefits) applies.

(3) A person of a prescribed description for the purposes of section 137(1) of the Act as it applies to council tax benefit (definition of the family) includes a child or young person in respect of whom section 145A of the Act⁽³⁾ applies for the purposes of entitlement to child benefit but only for the period prescribed under section 145A(1) of the Act.

⁽¹⁾ S.I.1987/1961.

⁽²⁾ 2000 c. 35.

⁽³⁾ Section 145A was inserted by section 55 of the Tax Credits Act 2002 (c. 21).