
STATUTORY INSTRUMENTS

2007 No. 294

The Housing Benefit (Daily Liability Entitlement) Amendment Regulations 2007

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

3.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006⁽¹⁾ shall be amended as follows.

(2) In regulation 57 (date on which entitlement is to commence)

(a) for paragraph (2)(b)⁽²⁾ substitute—

“(b) he becomes liable in that benefit week to make payments, which fall due on a daily basis, in respect of the accommodation listed in paragraph (3) which he occupies as his home.”; and

(b) after regulation 57(2) insert—

“(3) The accommodation referred to in paragraph (2)(b) is—

- (a) a hostel;
- (b) board and lodging accommodation where the payments are to an authority under section 206(2) of the Housing Act 1996 or section 35(2)(b) of the Housing (Scotland) Act 1987;
- (c) accommodation which the authority holds on a licence agreement where the payments are to an authority under section 206(2) of the Housing Act 1996 or section 35(2)(b) of the Housing (Scotland) Act 1987; or
- (d) accommodation outside that authority’s Housing Revenue Account which the authority holds on a lease granted for a term not exceeding 10 years.

(4) In this regulation—

“board and lodging accommodation” means—

- (a) accommodation provided to a person or, if he is a member of a family, to him or any other member of his family, for a charge which is inclusive of the provision of that accommodation and at least some cooked or prepared meals which both are cooked or prepared (by a person other than a person to whom the accommodation is provided or by a member of his family) and are consumed in that accommodation or associated premises; or
- (b) accommodation provided to a person in a hotel, guest house, lodging house or some similar establishment,

but it does not include accommodation in a care home, an Abbeyfield Home, an independent hospital or a hostel; and

(1) [S.I. 2006/214](#). The relevant amending instrument is [S.I. 2005/2502](#) (as amended by [S.I. 2006/217](#)).

(2) Paragraph (2) was inserted by [S.I. 2005/2502](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“Housing Revenue Account” has the same meaning as for the purposes of Part VIII of the Social Security Administration Act 1992.”

(3) In regulation 59(8)(3) (date on which change of circumstances is to take effect) omit the words “in respect of a hostel”.