
STATUTORY INSTRUMENTS

2008 No. 1082

The Employment and Support Allowance
(Consequential Provisions) Regulations 2008

PART 2

Common provisions

Amendment of the Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006

2. In paragraph 5(2) of Schedule 3 to the Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006 ^{M1} (transitional and savings provisions), in the paragraph inserted as paragraph (4) of regulation 13 of both the Housing Benefit Regulations 2006 and the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 after sub-paragraph (c) insert—

- “(ca) has limited capability for work [^{F1}within the meaning of section 1(4)] of the Welfare Reform Act 2007; or
- (cb) is treated as not having limited capability for work in accordance with regulations made under paragraph 1(a) of Schedule 2 to that Act (employment and support allowance: supplementary provisions); or”.

Textual Amendments

F1 Words in [reg. 2](#) substituted (27.10.2008) by [The Employment and Support Allowance \(Miscellaneous Amendments\) Regulations 2008 \(S.I. 2008/2428\)](#), [regs. 1\(2\)](#), [25](#)

Marginal Citations

M1 [S.I. 2006/217](#). Paragraph 5(2) was amended by [SI. 2007/2870](#) and [2008/1042](#).

Changes to legislation:

There are currently no known outstanding effects for the The Employment and Support Allowance (Consequential Provisions) Regulations 2008, Section 2.