
STATUTORY INSTRUMENTS

2008 No. 1082

**The Employment and Support Allowance
(Consequential Provisions) Regulations 2008**

PART 5

Council Tax Benefit Regulations 2006

Amendment of regulation 69

56. In regulation 69 (time and manner in which claims are to be made)—

- (a) in paragraph (4)(1)—
 - (i) in sub-paragraph (a) for “or a jobseeker’s allowance” substitute “, a jobseeker’s allowance or an employment and support allowance”;
 - (ii) in sub-paragraph (c) for “or a jobseeker’s allowance” substitute “, a jobseeker’s allowance or an employment and support allowance”;
- (b) in paragraph (5)—
 - (i) in sub-paragraph (a)—
 - (aa) for “or an income-based jobseeker’s allowance” each time it occurs substitute “, an income-based jobseeker’s allowance or an income-related employment and support allowance”;
 - (bb) for “or jobseeker’s allowance” substitute “, jobseeker’s allowance or employment and support allowance”; and
 - (cc) omit “and for the purposes of” to the end; and
 - (ii) in sub-paragraph (b) for “or an income-based jobseeker’s allowance” substitute “, an income-based jobseeker’s allowance or an income-related employment and support allowance”;
- (c) after paragraph (5) insert—

“(5A) For the purposes only of sub-paragraph (5)(a) a person who has been awarded an income-based jobseeker’s allowance or an income-related employment and support allowance must be treated as entitled to that allowance for any days which immediately precede the first day in that award and on which he would, but for regulations made under—

 - (a) in the case of income-based jobseeker’s allowance, paragraph 4 of Schedule 1 to the Jobseekers Act (waiting days); or
 - (b) in the case of income-related employment and support allowance, paragraph 2 of Schedule 2 to the Welfare Reform Act (waiting days),

have been entitled to that allowance.”.

Status: *This is the original version (as it was originally made).*
