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STATUTORY INSTRUMENTS

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**2008 No. 3195**

**The Social Security (Housing Costs Special Arrangements)  
(Amendment and Modification) Regulations 2008**

**PART 2**

Modifications relating to certain claimants who are  
entitled to a relevant benefit on 4th January 2009

**Application**

- 3.—(1) This Part applies in relation to a person who—
- (a) is entitled to a relevant benefit on 4th January 2009; and
  - (b) on or after that date falls within paragraph (3) or (4).
- (2) This Part ceases to apply in relation to a person who makes a further claim to the same, or claims another, relevant benefit after 4th January 2009.
- (3) A person falls within this paragraph if, apart from these Regulations, the housing costs to be met in the benefit week that includes 4th January 2009 would be nil in that person's case because [<sup>F1</sup>that person] has not been entitled to the relevant benefit concerned for the period mentioned in sub-paragraph (1)(a) in any of the following provisions—
- (a) paragraph 8 (existing housing costs) or paragraph 9 (new housing costs)<sup>M1</sup> of Schedule 6 to the Employment and Support Allowance Regulations;
  - (b) paragraph 6 (existing housing costs)<sup>M2</sup> or paragraph 8 (new housing costs)<sup>M3</sup> of Schedule 3 to the Income Support Regulations;
  - (c) paragraph 6 (existing housing costs)<sup>M4</sup> or paragraph 7 (new housing costs)<sup>M5</sup> of Schedule 2 to the Jobseeker's Allowance Regulations.
- (4) A person falls within this paragraph if [<sup>F1</sup>that person] has been entitled to a relevant benefit for a continuous period, which includes 4th January 2009, for at least 8 weeks but less than 26 weeks under any of the provisions mentioned in paragraph (5) as in force apart from these Regulations.
- (5) The provisions are—
- (a) paragraph 8(1)(b) (existing housing costs) or paragraph 9(6) (new housing costs) of Schedule 6 to the Employment and Support Allowance Regulations;
  - (b) paragraph 6(1)(b) (existing housing costs) or paragraph 8(4) (new housing costs) of Schedule 3 to the Income Support Regulations;
  - (c) paragraph 6(1)(b) (existing housing costs) or paragraph 7(6) (new housing costs) of Schedule 2 to the Jobseeker's Allowance Regulations.

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**Changes to legislation:** There are currently no known outstanding effects for the *The Social Security (Housing Costs Special Arrangements) (Amendment and Modification) Regulations 2008, Section 3.* (See end of Document for details)

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**Textual Amendments**

- F1** Words in [reg. 3\(3\)\(4\)](#) substituted (5.1.2010) by [Social Security \(Housing Costs Special Arrangements\) \(Amendment\) Regulations 2009 \(S.I. 2009/3257\)](#), regs. 1(1), **2**
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**Marginal Citations**

- M1** Paragraph 9 was amended by [S.I. 2008/2428](#).
- M2** Paragraph 6 was amended by S.Is. 1995/2927, 1997/2305, 2002/3019 and 2008/1554.
- M3** Paragraph 8 was amended by S.Is. 1995/2927, 1996/206, 1997/2305, 2002/3019 and 2008/1554.
- M4** Paragraph 6 was amended by S.Is. 1997/2305, 2000/1978, 2002/3019 and 2008/1554.
- M5** Paragraph 7 was amended by S.Is 1996/1516, 1997/2305, 2000/1978 and 2008/2428.

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Housing Costs Special Arrangements) (Amendment and Modification) Regulations 2008, Section 3.