
STATUTORY INSTRUMENTS

2008 No. 959

**The Housing Benefit and Council Tax Benefit
(Extended Payments) Amendment Regulations 2008**

Extended payments – consequential amendments to the Council Tax Benefit Regulations

- 9.—(1) The Council Tax Benefit Regulations shall be amended as follows.
- (2) In regulation 2(1) (interpretation)—
- (a) for the definition of “extended payment” substitute—
- ““extended payment” means a payment of council tax benefit payable pursuant to regulation 60;
- “extended payment period” means the period for which an extended payment is payable in accordance with regulation 60A or 61A;”;
- (b) for the definition of “extended payment (severe disablement allowance and incapacity benefit)” substitute—
- ““extended payment (qualifying contributory benefits)” means a payment of council tax benefit payable pursuant to regulation 61;”;
- (c) after the definition of “mobility supplement” insert—
- ““mover” means a claimant who changes the dwelling in which the claimant is resident and in respect of which the claimant liable to pay council tax from a dwelling in the area of the appropriate authority to a dwelling in the area of the second authority;”;
- (d) after the definition of “the New Deal options” insert—
- ““new dwelling” means, for the purposes of the definition of “second authority” and regulations 60C, 61C, 96 and 97, the dwelling to which a claimant has moved, or is about to move, in which the claimant is or will be resident;”;
- (e) after the definition of “qualifying age for state pension credit” insert—
- ““qualifying contributory benefit” means—
- (a) severe disablement allowance;
- (b) incapacity benefit;
- “qualifying income-related benefit” means—
- (a) income support;
- (b) income-based jobseeker’s allowance;”;
- (f) after the definition of “second adult” insert—
- ““second authority” means the authority to which a mover is liable to make payments for the new dwelling;”.
- (3) In regulation 5 (persons who have attained the qualifying age for state pension credit)—
- (a) omit paragraph (2); and
- (b) in paragraph (3) for “paragraphs (1)(b) and (2)” substitute “paragraph (1)(b)”.

- (4) In regulation 57 (maximum council tax benefit)—
 - (a) in paragraph (1) for “paragraphs (2) to (5)” substitute “paragraphs (2) to (4)”; and
 - (b) omit paragraph (5).
- (5) Omit—
 - (a) regulation 65 (date on which council tax benefit is to end);
 - (b) regulation 66 (date on which council tax benefit is to end where entitlement to severe disablement allowance or incapacity benefit ceases);
 - (c) regulation 75(3) (priority to extended payment claims);
 - (d) Schedule 6 (extended payments of council tax benefit); and
 - (e) Schedule 7 (extended payments (severe disablement allowance and incapacity benefit) of council tax benefit).
- (6) In Part 2 of Schedule 8 (awards where income support or an income-based jobseeker’s allowance is payable)—
 - (a) in the heading to paragraph 9 after “jobseeker’s allowance”, insert “, an extended payment or an extended payment (qualifying contributory benefits)”; and
 - (b) in paragraph 9 after the words “is awarded council tax benefit”, insert “or a claimant is entitled to an extended payment in accordance with regulation 60 or an extended payment (qualifying contributory benefits) in accordance with regulation 61”.