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STATUTORY INSTRUMENTS

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**2010 No. 641**

**The Social Security (Miscellaneous  
Amendments) (No. 2) Regulations 2010**

**Amendments to the Council Tax Benefit Regulations 2006**

**10.**—(1) The Council Tax Benefit Regulations 2006(1) are amended as follows.

(2) In regulation 2(1) (interpretation) at the appropriate places insert the following definitions—

““MFET Limited” means the company limited by guarantee (number 7121661) of that name, established for the purpose in particular of making payments in accordance with arrangements made with the Secretary of State to persons who have acquired HIV as a result of treatment by the NHS with blood or blood products ;”;

““special account” means an account as defined for the purposes of Chapter 4A of Part 8 of the Jobseeker’s Allowance Regulations or Chapter 5 of Part 10 of the Employment and Support Allowance Regulations;”.

(3) In—

- (a) regulation 2(1) in the definition of “qualifying person”,
- (b) regulation 32(7)(a)(2) (notional income),
- (c) regulation 36(6)(3) (income treated as capital),
- (d) regulation 39(4)(a)(4) (notional capital),
- (e) regulation 58(9)(b)(5) (non-dependant deductions),
- (f) regulation 72(4)(a)(ii) (evidence and information),
- (g) Schedule 2 (amount of alternative maximum council tax benefit), paragraph 2(b)(6),
- (h) Schedule 4 (sums to be disregarded in the calculation of income other than earnings), paragraph 36(1)(7) and (7), and
- (i) Schedule 5 (capital to be disregarded), paragraph 24(1)(8) and (7),

after “Eileen Trust” insert “, MFET Limited”.

(4) In regulation 32(2)(c)(9) for “is aged under 60” substitute “has not attained the qualifying age for state pension credit”.

(5) In—

- (a) regulation 32(7)(a),
- (b) regulation 36(6),

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(1) [S.I. 2006/215](#).  
(2) Relevant amending instrument is [S.I. 2008/2767](#).  
(3) Relevant amending instrument is [S.I. 2008/2767](#).  
(4) Relevant amending instrument is [S.I. 2008/2767](#).  
(5) Relevant amending instrument is [S.I. 2008/2767](#).  
(6) Relevant amending instrument is [S.I. 2008/2767](#).  
(7) Relevant amending instrument is [S.I. 2008/2767](#).  
(8) Relevant amending instruments are [S.I. 2008/2767](#) and [3157](#).  
(9) Relevant amending instruments are [S.I. 2005/2465](#), [2006/217](#), [588](#) and [2007/1749](#).

- (c) regulation 39(4)(a),
- (d) regulation 58(9)(b),
- (e) regulation 72(4)(a)(ii),
- (f) Schedule 2, paragraph 2(b),
- (g) Schedule 4, paragraph 36(1) to (5), and
- (h) Schedule 5, paragraphs 24(1) to (5) and 34(10),

after “under” insert “or by”.

(6) In regulation 36(7) omit “(as defined for the purposes of Chapter 4A of Part 8 of the Jobseeker’s Allowance Regulations)”.

(7) In regulation 45(3A)(11) (students who are excluded from entitlement to council tax benefit) after “begun” insert “, or been enrolled or accepted onto”.

(8) In regulation 58(6)(a) for “of the higher pensioner and disability premiums”, substitute “for the disability premium”.

(9) In regulation 72(5)(12) for “is aged not less than 60”, substitute “has attained the qualifying age for state pension credit”.

(10) In Schedule 4—

(a) in paragraph 14(1)(a) for “or severe disablement allowance”, substitute “, severe disablement allowance or an employment and support allowance”;

(b) in paragraph 58(2) omit “as defined for the purposes of Chapter 4A of Part 8 of the Jobseeker’s Allowance Regulations”.

(11) In Schedule 4, paragraph 57(13) and Schedule 5, paragraph 60(14) after “1968” insert “, or under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care)(15)”.

(12) In Schedule 5, paragraph 34 after “the Fund” insert “, MFET Limited”.

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(10) Relevant amending instruments are [S.I. 2007/2538](#) and [2008/2767](#).

(11) Inserted by [S.I. 2009/583](#).

(12) Relevant amending instrument is [S.I. 2007/1749](#).

(13) Relevant amending instrument is [S.I. 2009/583](#).

(14) Relevant amending instrument is [S.I. 2009/583](#).

(15) [2006 c. 4](#). Sections 12A to 12D were inserted by the section 11 of the Health Act [2009 \(c. 21\)](#).