

## SCHEDULE 1

### Meaning of payments in respect of accommodation

#### *General*

#### **Interpretation**

**1.** In this Schedule—

“approved premises” means premises approved by the Secretary of State under section 13 of the Offender Management Act 2007<sup>(1)</sup> (which contains provision for the approval etc. of premises providing accommodation for persons granted bail in criminal proceedings or for or in connection with the supervision or rehabilitation of persons convicted of offences);

“care home”—

- (a) in England and Wales, means a care home within the meaning of section 3 of the Care Standards Act 2000<sup>(2)</sup>;
- (b) in Scotland, means a care home service within the meaning of paragraph 2 of Schedule 12 to the Public Services Reform (Scotland) Act 2010<sup>(3)</sup>; and
- (c) in either case, includes an independent hospital;

“exempt accommodation” means—

- (a) accommodation which is a resettlement place within the meaning of section 30 of the Jobseekers Act 1995<sup>(4)</sup> (grants for resettlement places) and which is provided by persons to whom the Secretary of State has given assistance by way of grant pursuant to that section;
- (b) accommodation provided to a claimant by any of the following bodies, where the body providing the accommodation, or a person acting on its behalf, also provides the claimant with care, support or supervision—
  - (i) an upper-tier county council,
  - (ii) a housing association,
  - (iii) a registered charity, or
  - (iv) a voluntary organisation;

“housing association” has the meaning given by section 1(1) of the Housing Associations Act 1985<sup>(5)</sup>;

“independent hospital”—

- (a) in England, means a hospital as defined by section 275 of the National Health Service Act 2006<sup>(6)</sup> that is not a health service hospital as defined by that section;
- (b) in Wales, has the meaning assigned to it by section 2 of the Care Standards Act 2000<sup>(7)</sup>;

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(1) 2007 c.21.

(2) 2000 c.14. Section 3 was amended by section 95 of, and paragraph 4 of Schedule 5 to, the Care Standards Act 2008 (c.14).

(3) 2010 asp 8.

(4) 1995 c.18.

(5) 1985 c.69. An amendment to section 1(1) which was inserted by section 3 of, and paragraph 6 of Schedule 2 to, the Housing (Scotland) Act 1988 (c.43) was repealed by section 112 of, and paragraph 11 of Schedule 10 to, the Housing (Scotland) Act 2001 (asp 10).

(6) 2006 c.41.

(7) 2000 c.14. Section 2 was amended by section 103 of the Health and Social Care (Community Health and Standards) Act 2003 (c.43); section 2 of, and paragraph 199 of Schedule 1 to, the National Health Service (Consequential Provisions) Act 2006 (c.43); section 95 of, and paragraph 3 of Schedule 5 to, the Health and Social Care Act 2008 (c.14); and by S.I. 2001/3968 and 2008/2352.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(c) in Scotland, means an independent health care service as defined in section 10F(1)(a) and (b) of the National Health Service (Scotland) Act 1978<sup>(8)</sup>;

“registered charity” means a charity entered in the register of charities maintained under Part 4 of the Charities Act 2011<sup>(9)</sup> or a body entered on the register of charities maintained under the Charities and Trustee Investment (Scotland) Act 2005<sup>(10)</sup>;

“shared ownership tenancy” has the meaning given in regulation 26(6);

“tent” means a moveable structure that is designed or adapted (solely or mainly) for the purpose of sleeping in a place for any period and that is not a caravan, a mobile home or a houseboat;

“upper-tier county council” means a council for a county in England for each part of whose area there is a district council;

“voluntary organisation” means a body (other than a public or local authority) whose activities are carried on otherwise than for profit.

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<sup>(8)</sup> 1978 c.29. Section 10F was inserted by section 108 of the Public Services Reform (Scotland) Act 2010 (asp 8).

<sup>(9)</sup> 2011 c.25.

<sup>(10)</sup> 2005 asp10.