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STATUTORY INSTRUMENTS

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**2013 No. 546**

**The Benefit Cap (Housing Benefit)  
(Amendment) Regulations 2013**

**Amendment of the Benefit Cap (Housing Benefit) Regulations 2012**

2.—(1) The Benefit Cap (Housing Benefit) Regulations 2012<sup>(1)</sup> are amended as follows.

(2) In regulation 2(5), insofar as it inserts regulation 75C of the Housing Benefit Regulations 2006<sup>(2)</sup> (manner of calculating the amount of welfare benefits), for paragraph (2) substitute—

“(2) Where the welfare benefit is housing benefit, the relevant authority—

- (a) where the dwelling is exempt accommodation within the meaning paragraph 4(10) of Schedule 3 to the Consequential Provisions Regulations, must use the amount of nil; and
- (b) in any other case, must not take account of any reduction under regulation 75D and must use the amount to which the claimant would be entitled by virtue of section 130 of the Act.”.

(3) In regulation 2(5), insofar as it inserts regulation 75F(1) of the Housing Benefit Regulations 2006 (exception to the benefit cap: receipt of specified benefit), after sub-paragraph (f) add—

“(g) the claimant is receiving universal credit.”.

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(1) S.I. 2012/2994.

(2) S.I. 2006/213.