
STATUTORY INSTRUMENTS

2014 No. 213

The Housing Benefit (Miscellaneous Amendments) Regulations 2014

Amendment of the Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001

2.—(1) The Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001⁽¹⁾ are amended as follows.

(2) In regulation 7(2) (decisions superseding earlier decisions)⁽²⁾—

- (a) in sub-paragraph (i) for “or (q)” substitute “, (q) or (s)”;
- (b) after sub-paragraph (r) add—

“(s) which is affected by the award of personal independence payment under Part 4 of the Welfare Reform Act 2012⁽³⁾ where—

- (i) the claimant, the claimant’s partner or a member of the claimant’s family (“P”) was entitled to disability living allowance under section 71 of the Social Security Contributions and Benefits Act 1992; and
- (ii) subsequent to the first day of the period to which the claimant’s entitlement to housing benefit relates, P becomes entitled to personal independence payment as a transfer claimant (within the meaning of regulation 2(1) of the Personal Independence Payment (Transitional Provisions) Regulations 2013⁽⁴⁾).

(3) In regulation 8 (date from which a decision superseding an earlier decision takes effect)⁽⁵⁾ after paragraph (14F) add—

“(14G) A superseding decision made in consequence of regulation 7(2)(s) shall take effect—

- (a) on 1st April in a case where—
 - (i) the claimant’s weekly amount of eligible rent falls to be calculated in accordance with regulation 80(2)(b) or (c) of the Housing Benefit Regulations or, as the case may be, regulation 61(2)(b) or (c) of the Housing Benefit (State Pension Credit) Regulations; and
 - (ii) the decision to award personal independence payment takes effect in the same benefit week as the 1st April;
- (b) on the first Monday in April in a case where—
 - (i) the claimant’s weekly amount of eligible rent falls to be calculated in accordance with regulation 80(2)(a) of the Housing Benefit Regulations

(1) [S.I. 2001/1002](#).

(2) Sub-paragraph (i) was substituted by [S.I. 2003/2275](#) and amended by [S.I. 2008/1082](#) (as amended by [S.I. 2008/2428](#)) and [S.I. 2010/1907](#) (as amended by [S.I. 2010/2430](#)). Sub-paragraph (r) was inserted by [S.I. 2012/2994](#).

(3) [2012 c.5](#).

(4) [S.I. 2013/387](#).

(5) Paragraph (14F) was inserted by [S.I. 2012/2994](#).

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- or, as the case may be, regulation 61(2)(a) of the Housing Benefit (State Pension Credit) Regulations; and
- (ii) the decision to award personal independence payment takes effect in the same benefit week as the first Monday in April;
 - (c) in any other case, on the day after the last day of entitlement to disability living allowance.”.