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STATUTORY INSTRUMENTS

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**2015 No. 6**

**The Housing Benefit and Housing Benefit (Persons who have attained the qualifying age for state pension credit) (Income from earnings) (Amendment) Regulations 2015**

**Amendment to the Housing Benefit Regulations 2006**

2.—(1) The Housing Benefit Regulations 2006<sup>(1)</sup> are amended as follows.

(2) In paragraph (2) of regulation 29 (Average weekly earnings of employed earners) after “if he has received any earnings” insert “or expects to receive an amount of earnings”.

(3) After regulation 29 (Average weekly earnings of employed earners) insert—

**“Date on which income consisting of earnings from employment as an employed earner are taken into account**

**29A.**—(1) A claimant’s average weekly earnings from employment estimated pursuant to regulation 29 (Average weekly earnings of employed earners) and Section 3 (Employed earners) of this Part shall be taken into account—

- (a) in the case of a claim, on the date that the claim was made or treated as made and the first day of each benefit week thereafter, regardless of whether those earnings were actually received in that benefit week;
- (b) in the case of a claim or award where the claimant commences employment, the first day of the benefit week following the date the claimant commences that employment, and the first day of each benefit week thereafter, regardless of whether those earnings were actually received in that benefit week; or
- (c) in the case of a claim or award where the claimant’s average weekly earnings from employment change, the first day of the benefit week following the date of the change, and the beginning of each benefit week thereafter, regardless of whether those earnings were actually received in that benefit week.”.