
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Housing Renewal Grants Regulations 1996 (S.I. 1996/2890) (“the 1996 Regulations”), which set out the means test for determining the amount of grant which may be paid by local housing authorities under Chapter 1 of Part 1 of the Housing Grants, Construction and Regeneration Act 1996. A change is made to the scope of the means test by *regulation 6*, substituting a new definition of “relevant person” in regulation 5 of the 1996 Regulations. This has the effect that the means test no longer applies where an application for grant is made by the parent or guardian of a disabled child or young person.

Other amendments made by these Regulations are mostly consequential on changes to the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971), upon which the means test in the 1996 Regulations is based. The main changes of this nature are as follows—

Regulation 3 provides for the 1996 Regulations to have effect subject to modifications similar to some of those made for housing benefit by the Housing Benefit and Council Tax Benefit (State Pension Credit) Regulations 2003 (S.I. 2003/325), where the 1996 Regulations apply in relation to relevant persons who have attained, or whose partners have attained, the qualifying age for state pension credit.

Regulation 7 increases the amounts specified in regulation 10 of the 1996 Regulations, thus increasing the “applicable amount” for the purpose of determining the amount of grant payable.

Regulation 8 uprates the loan generation factors for the purposes of regulation 12 of the 1996 Regulations, which determines the amount of reduction of grant in cases where the financial resources of the applicant or applicants for grant exceed the “applicable amount”.

Regulation 11 introduces, into regulation 17 of the 1996 Regulations, a disregard in respect of the income and capital of a child or young person, and regulations 15 and 16 make amendments consequential upon this.

Regulation 12 increases the maximum deduction which may be made, in cases meeting certain conditions, in respect of average weekly relevant child care charges for the purpose of determination of income on a weekly basis under regulation 18 of the 1996 Regulations.

Regulation 18 increases amounts specified in regulation 43 of the 1996 Regulations as sums to be excluded from a student’s grant income where the student does not have a student loan.

Regulation 19 uprates applicable amounts and premiums in Schedule 1 to the 1996 Regulations.

Regulation 20 amends Schedule 2 to the 1996 Regulations to reflect changes made by the Housing Benefit and Council Tax Benefit (Miscellaneous Amendments) Regulations 2003 (S.I. 2003/2634). Paragraph 18 of Schedule 2 provides for the amount which is to be disregarded from earnings under that Schedule to be increased where certain conditions are satisfied as to the minimum number of hours each week in which the claimant or any partner is engaged in remunerative work. The minimum number of hours is reduced from 30 to 16, where the claimant is a lone parent, or where the claimant and partner are responsible for one or more children, or where the person engaged in the remunerative work is over the age of 50 or satisfies the condition for a disability premium.

Regulation 21 makes amendments to Schedule 3 to the 1996 Regulations consequential upon the amendments made to the body of those Regulations.

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

Regulation 22 amends Schedule 4 to the 1996 Regulations in particular to update the references to rules of Court and to add a provision disregarding, from the calculation of capital, certain amounts received by victims of the London bombings on 7 July 2005.

Regulation 23 revokes the Housing Renewal Grants (Amendment) (Wales) Regulations 2005 ([S.I. 2005/2605](#)).

A minor consequential amendment which does not derive from the housing benefit legislation is made by paragraph (c) of *regulation 5*. This amends regulation 2 of the 1996 Regulations to substitute, for the reference to “qualifying park home”, a reference to “caravan” within the meaning given to that term by section 224 of the Housing Act [2004 \(c. 34\)](#), which amended the Housing Grants, Construction and Regeneration Act 1996. Other paragraphs of regulation 5 amend the interpretation of the 1996 Regulations to reflect the introduction of civil partnerships in the Civil Partnership Act [2004 \(c. 33\)](#).