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STATUTORY INSTRUMENTS

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**2006 No. 215**

**The Council Tax Benefit Regulations 2006**

**PART 12**

**Information**

*SECTION 1*

*Claims and information*

**Interpretation**

**91.** In this Section—

“local authority” means an authority administering council tax benefit;

“relevant authority” means—

(a) the Secretary of State;

(b) a person providing services to the Secretary of State;

“relevant information” means information or evidence relating to the administration of claims to or awards of council tax benefit.

**Collection of information**

**92.**—(1) A relevant authority may obtain relevant information, from—

(a) persons making, or who have made, claims to council tax benefit; or

(b) other persons in connection with such claims.

(2) In paragraph (1) above references to persons who have made claims to council tax benefit include persons to whom awards of benefit have been made on those claims.

**Recording and holding information**

**93.** A relevant authority which obtains relevant information or to whom such information is supplied shall—

(a) make a record of such information; and

(b) hold that information, whether as supplied or obtained or as recorded.

**Forwarding of information**

**94.** A relevant authority which holds relevant information—

(a) shall forward it to the person or authority for the time being administering claims to or awards of council tax benefit to which the relevant information relates, being—

(i) a local authority;

- (ii) a person providing services to a local authority; or
  - (iii) a person authorised to exercise any function of a local authority relating to council tax benefit; and
- (b) may continue to hold a record of such information, whether as supplied or obtained or recorded, for such period as it considers appropriate.

### **Request for information**

**95.** A relevant authority which holds information or evidence relating to social security matters shall forward such information or evidence as may be requested to the person or authority making that request, provided that—

- (a) the request is made by—
  - (i) a local authority;
  - (ii) a person providing services to a local authority; or
  - (iii) a person authorised to exercise any function of a local authority relating to council tax benefit; and
- (b) the information or evidence requested includes relevant information;
- (c) the relevant authority is able to provide the information or evidence requested in the form in which it was originally supplied or obtained; and
- (d) provision of the information or evidence requested is considered necessary by the relevant authority to the proper performance by a local authority of its functions relating to council tax benefit.

## *SECTION 2*

### *Information between authorities etc.*

#### **Information to be supplied by an authority to another authority**

**96.**—(1) For the purposes of section 128A of the Administration Act (duty of an authority to disclose information to another authority) the circumstances in which information is to be disclosed are prescribed in paragraph (2) and the information prescribed by this regulation is described in paragraph (3).

- (2) The circumstances prescribed in this paragraph are, where—
- (a) there is a mover who is or was allowed council tax benefit by appropriate authority “A”;
  - (b) who is liable to pay council tax in respect of his second dwelling to authority “B”; and
  - (c) either—
    - (i) the extended payment is claimed from authority A; or
    - (ii) the extended payment is claimed from authority B, who then requests the prescribed information from authority A,

authority A shall disclose to authority B the information prescribed in paragraph (3).

- (3) The information to be disclosed is—
- (a) in a case where that extended payment was claimed from authority A, details relevant to that claim of—
    - (i) the matters certified pursuant to regulation 60 and paragraph 1 of Schedule 6; and
    - (ii) the matters notified pursuant to regulation 60 and paragraph 2 of Schedule 6; and

- (iii) the date it was claimed;
- (b) in the case of a person to whom regulation 6(5) of the Income Support Regulations<sup>(1)</sup> (persons not treated as engaged in remunerative work) applies—
  - (i) the date on which he was first engaged in the work referred to in sub-paragraph (a) of regulation 6(5) of those Regulations; and
  - (ii) the date on which his entitlement to income support ceased or is expected to cease; and
- (c) in any case—
  - (i) the weekly rate of council tax benefit allowed to the mover by authority A;
  - (ii) if any deduction was being made from that benefit in respect of non-dependants, pursuant to regulations 57(1) and 58, the amount of those deductions;
  - (iii) if any addition was being made to any amount payable in respect of council tax to recover recoverable excess benefit pursuant to regulation 86(2)(b), the amount of those additions;
  - (iv) the date on which his entitlement to council tax benefit ceased;
  - (v) if an extended payment was allowed to the mover, the amount and date of any such payment;
  - (vi) if no extended payment was allowed, why none was allowed.

(4) In this regulation “mover” and “second dwelling” have the meanings assigned to them in paragraph 7 of Schedule 6.

**Supply of information: extended payments (severe disablement allowance and incapacity benefit)**

97.—(1) For the purposes of section 122E(3) of the Administration Act<sup>(2)</sup> (duty of an authority to supply information to another authority) the circumstances in which information is to be supplied are prescribed in paragraph (2) and the information prescribed by this regulation is described in paragraph (3).

- (2) The circumstances prescribed in this paragraph are, where—
  - (a) there is a mover who is or was allowed council tax benefit by appropriate authority “A”;
  - (b) who is liable to pay council tax in respect of his second dwelling to authority “B”;
  - (c) either—
    - (i) the extended payment (severe disablement allowance and incapacity benefit) is claimed from authority A; or
    - (ii) the extended payment (severe disablement allowance and incapacity benefit) is claimed from authority B, who then requests the information described in paragraph (3) from authority A,

authority A shall supply to authority B that information.

- (3) The information to be supplied is—
  - (a) in a case where that extended payment (severe disablement allowance and incapacity benefit) was claimed from authority A, details relevant to that claim of—

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<sup>(1)</sup> Paragraph 6(5) inserted by S.I. 2001/488.

<sup>(2)</sup> Inserted by the Social Security Administration (Fraud) Act 1997 (c. 47), section 3 and modified by the Welfare Reform and Pensions Act 1999 (c. 30), section 80 and Schedule 8, paragraph 34.

- (i) the matters set out in regulation 66 or regulation 61(1)(b)(i) to (iii), as the case may be; and
  - (ii) the matters notified pursuant to regulation 61(1)(a)(ii) or (b)(iv), as the case may be; and
  - (iii) the date it was so claimed; and
- (b) in any case—
- (i) the weekly rate of council tax benefit allowed to the mover by authority A;
  - (ii) if any deduction was being made from that benefit in respect of non-dependants, pursuant to regulations 57(1) and 58, the amount of those deductions;
  - (iii) if any addition was being made to any amount payable in respect of council tax to recover recoverable excess benefit pursuant to regulation 86(2)(b), the amount of those additions;
  - (iv) the date on which his entitlement to council tax benefit ceased;
  - (v) if an extended payment (severe disablement allowance and incapacity benefit) was allowed to the mover, the amount and date of any such payment; and
  - (vi) if no extended payment (severe disablement allowance and incapacity benefit) was allowed, why none was allowed.
- (4) In this regulation “mover” and “second dwelling” shall have the meanings assigned to them in paragraph 7 of Schedule 7.