
STATUTORY INSTRUMENTS

1992 No. 1814

SOCIAL SECURITY

The Council Tax Benefit (General) Regulations 1992

Made - - - - *20th July 1992*

Coming into force

*(a) for the purposes of
regulations 1, 2, 61 to
65, 92 and 93* *17th August 1992*

*(b) for all other
purposes* *1st April 1993*

THE COUNCIL TAX BENEFIT (GENERAL) REGULATIONS 1992

PART I

General

1. Citation and commencement
2. Interpretation
3. Definition of non-dependant
4. Remunerative work

PART II

Membership of a family

5. Persons of prescribed description for the definition of family in section 137(1) of the Contributions and Benefits Act 1992
6. Circumstances in which a person is to be treated as responsible or not responsible for another
7. Circumstances in which a person is to be treated as being or not being a member of the household

PART III

Applicable amounts

8. Applicable amounts
9. Polygamous marriages
10. Patients

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PART IV

Income and Capital

CHAPTER I

General

11. Calculation of income and capital of members of claimant's family and of a polygamous marriage
12. Circumstances in which income of non-dependant is to be treated as claimant's

CHAPTER II

Income

13. Calculation of income on a weekly basis
14. Average weekly earnings of employed earners
15. Average weekly earnings of self-employed earners
16. Average weekly income other than earnings
17. Calculation of weekly income
18. Disregard of changes in tax, contributions etc

CHAPTER III

Employed Earners

19. Earnings of employed earners
20. Calculation of net earnings of employed earners

CHAPTER IV

Self-Employed Earners

21. Earnings of self-employed earners
22. Calculation of net profit of self-employed earners
23. Deduction of tax and contributions for self-employed earners

CHAPTER V

Other Income

24. Calculation of income other than earnings
25. Capital treated as income
26. Notional income
27. Modifications in respect of child or young person

CHAPTER VI

Capital

28. Capital limit
29. Calculation of capital
30. Disregard of capital of child or young person
31. Income treated as capital

32. Calculation of capital in the United Kingdom
33. Calculation of capital outside the United Kingdom
34. Notional Capital
35. Diminishing notional capital rule
36. Capital jointly held
37. Calculation of tariff income from capital

PART V

Students

CHAPTER I

General

38. Interpretation
39. Treatment of students
40. Students who are excluded from entitlement to council tax benefit
41. Further provision with respect to students entering the United Kingdom from abroad

CHAPTER II

Income

42. Calculation of grant income
43. Calculation of covenant income where a contribution is assessed
44. Covenant income where no grant income or no contribution is assessed
45. Relationship with amounts to be disregarded under Schedule 4
46. Other amounts to be disregarded
47. Treatment of student loans
48. Disregard of contribution
49. Income treated as capital
50. Disregard of changes occurring during summer vacation

PART VI

Amount of Benefit

51. Maximum council tax benefit
52. Non-dependant deductions
53. Council tax benefit taper
54. Alternative maximum council tax benefit
55. Residents of a dwelling to whom section 131(6) of the Contributions and Benefits Act 1992 does not apply

PART VII

Benefit periods, changes of circumstances and increases for exceptional circumstances

56. Date on which entitlement is to begin
57. Benefit period
58. Date on which benefit period is to end
59. Date on which change of circumstances is to take effect
60. Increases of weekly amounts for exceptional circumstances

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PART VIII

Claims

61. Who may claim
62. Time and manner in which claims are to be made
63. Evidence and information
64. Amendment and withdrawal of claim
65. Duty to notify changes of circumstances

PART IX

Determination of Questions

66. Who is to make a determination
67. Notification of determinations
68. Time and manner of making notifications, requests or representations
69. Review of determinations
70. Further review of determinations
71. Procedure on further review
72. Decisions upon further review
73. Effect of revising a determination
74. Correction of accidental errors in determinations and decisions
75. Setting aside of determinations and decisions on certain grounds
76. Provisions common to regulations 74 and 75

PART X

Awards or payments of benefit

77. Time and manner of granting council tax benefit
78. Person to whom benefit is to be paid
79. Shortfall in benefit
80. Withholding of benefit
81. Payment on death of the person entitled
82. Offsetting

PART XI

Excess benefit

83. Meaning of excess benefit
84. Recoverable excess benefit
85. Authority by which recovery may be made
86. Person from whom recovery may be sought
87. Methods of recovery
88. Further provision as to recovery of excess benefit
89. Diminution of capital
90. Sums to be deducted in calculating recoverable excess benefit
91. Recovery of excess benefit from prescribed benefits

PART XII

Information

92. Information to be supplied by the Secretary of State to an appropriate authority

93. Information to be supplied by an appropriate authority to the Secretary of State
Signature

SCHEDULE 1 — APPLICABLE AMOUNTS

PART I — PERSONAL ALLOWANCES

1. The amounts specified in column (2) below in respect of...
2. The amounts specified in column (2) below in respect of...

PART II — FAMILY PREMIUM

3. The amount for the purposes of regulations 8(c) and 9(d)...

PART III — PREMIUMS

4. Except as provided in paragraph 5, the premiums specified in...
5. Subject to paragraph 6, where a claimant satisfies the conditions...
6. (1) The severe disability premium to which paragraph 14 applies...
7. (1) Subject to sub-paragraph (2), for the purposes of this...
8. Lone Parent Premium
9. Pensioner Premium for persons under 75
10. Pensioner Premium for persons 75 and over
11. Higher Pensioner Premium
12. Disability Premium
13. Additional Condition for the Higher Pensioner and Disability Premiums
14. Severe Disability Premium
15. Disabled Child Premium
16. Carer Premium
17. Persons in receipt of concessionary payments
18. Person in receipt of benefit for another

PART IV — AMOUNTS OF PREMIUMS SPECIFIED IN PART III

SCHEDULE 2 — AMOUNT OF ALTERNATIVE MAXIMUM COUNCIL TAX BENEFIT

1. (1) Subject to paragraphs 2 and 3, the alternative maximum...
2. In determining a second adult's gross income for the purposes...
3. Where there are two or more second adults residing with...

SCHEDULE 3 — SUMS TO BE DISREGARDED IN THE CALCULATION OF EARNINGS

1. In the case of a claimant who has been engaged...
2. In the case of a claimant who has been engaged...
3. (1) In a case to which this paragraph applies, £15;...
4. If an amount by way of a lone parent premium...
5. In a case where paragraph 3 does not apply to...
6. (1) In a case to which neither paragraph 3 nor...
7. Where the claimant is engaged in one or more employments...
8. In a case to which none of the paragraphs 3...
9. Any amount or the balance of any amount which would...
10. Where a claimant is on income support, his earnings.
11. Any earnings derived from employment which are payable in a...
12. Where a payment of earnings is made in a currency...
13. Any earnings of a child or young person except earnings...
14. In the case of earnings of a young person who...

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15. In this Schedule “part-time employment” means employment in which the...

SCHEDULE 4 — SUMS TO BE DISREGARDED IN THE CALCULATION OF INCOME OTHER THAN EARNINGS

1. Any amount paid by way of tax on income which...
2. Any payment in respect of any expenses incurred by a...
3. In the case of employment as an employed earner, any...
4. Where a claimant is on income support, the whole of...
5. Any disability living allowance.
6. Any concessionary payment made to compensate for the non-payment of —...
7. Any mobility supplement under article 26A of the Naval, Military...
8. Any attendance allowance.
9. Any payment to the claimant as holder of the Victoria...
10. Any sum in respect of a course of study attended...
11. In the case of a claimant participating in arrangements for...
12. Any Job Start Allowance payable under section 2(1) of the...
13. (1) Except where sub-paragraph (2) applies and subject to sub-paragraph...
14. Subject to paragraph 34, £10 of any of the following,...
15. (1) Any income derived from capital to which the claimant...
16. Where a claimant receives income under an annuity purchased with...
17. Where the claimant makes a parental contribution in respect of...
18. (1) Where the claimant is the parent of a student...
19. Any payment made to the claimant by a child or...
20. Where the claimant occupies a dwelling as his home which...
21. Where the claimant occupies a dwelling as his home which...
22. Any income in kind.
23. Any income which is payable in a country outside the...
24. (1) Any payment made to the claimant in respect of...
25. Any payment made by a local authority to the claimant...
26. Any payment made by a health authority, local authority or...
27. Any payment made by a local authority in accordance with...
28. An amount equal to any maintenance payment made by the...
29. Any payment received under an insurance policy taken out to...
30. Any payment of income which by virtue of regulation 31...
31. Any social fund payments made pursuant to Part VIII of...
32. Any payment under section 148 of the Contributions and Benefits...
33. Where a payment of income is made in a currency...
34. The total of claimant’s income or, if he is a...
35. (1) Any payment made under the Trusts, the Fund or...
36. Any housing benefit.
37. Any payment made by the Secretary of State to compensate...
38. Any payment by the Secretary of State to compensate for...
39. Any resettlement benefit which is paid to the claimant by...
40. Any payment to a juror or witness in respect of...
41. Any payment in consequence of a reduction of a personal...
42. Any special war widows payment made under—
43. (1) Any payment or repayment made— (a) as respects England...
44. Any payment made under regulation 9 to 11 or regulation...
45. Any payment made by either the Secretary of State for...
46. (1) Where a claimant’s applicable amount includes an amount by...
47. Any payment made by the Secretary of State to compensate...

48. Any payment (other than a training allowance) made, whether by...

SCHEDULE 5 — CAPITAL TO BE DISREGARDED

1. The dwelling together with any garage, garden and outbuildings, normally...
2. Any premises acquired for occupation by the claimant which he...
3. Any sum directly attributable to the proceeds of sale of...
4. Any premises occupied in whole or in part—
5. Where a claimant is on income support, the whole of...
6. Any reversionary interest.
7. (1) The assets of any business owned in whole or...
8. Any arrears of, or any concessionary payment made to compensate...
9. Any sum— (a) paid to the claimant in consequence of...
10. Any sum— (a) deposited with a housing association as defined...
11. Any personal possessions except those which have been acquired by...
12. The value of the right to receive any income under...
13. Where the funds of a trust are derived from a...
14. The value of the right to receive any income under...
15. The value of the right to receive any income which...
16. The surrender value of any policy of life insurance.
17. Where any payment of capital falls to be made by...
18. Any payment made by a local authority in accordance with...
19. Any social fund payment made pursuant to Part VIII of...
20. Any refund of tax which falls to be deducted under...
21. Any capital which by virtue of regulation 25 or 47...
22. Where any payment of capital is made in a currency...
23. (1) Any payment made under the Trusts, the Fund or...
24. (1) Where a claimant has ceased to occupy what was...
25. Any premises where the claimant is taking reasonable steps to...
26. Any premises which the claimant intends to occupy as his...
27. Any premises which the claimant intends to occupy as his...
28. Any payment made by the Secretary of State to compensate...
29. Any payment made by the Secretary of State to compensate...
30. The value of the right to receive an occupational or...
31. The value of the right to receive any rent.
32. Any payment in kind made by a charity or under...
33. Any payment not exceeding £200 made under section 2 of...
34. Any housing benefit.
35. Any payment in consequence of a reduction of a personal...
36. Any grant made in accordance with a scheme made under...
37. Any arrears of special war widows payment which is disregarded...
38. (1) Any payment or repayment made— (a) as respects England...
39. Any payment made under regulation 9 to 11 or regulation...
40. Any payment made either by the Secretary of State for...
41. Any payment made by the Secretary of State to compensate...
42. Any payment (other than training allowance, or training bonus under...
43. Any payment made by a local authority under section 3...

SCHEDULE 6 — MATTERS TO BE INCLUDED IN THE NOTICE OF DETERMINATION

PART I — GENERAL

1. The statement of matters to be included in any notice...
2. Every notice of determination shall include a statement as to...
3. Every notice of determination shall include a statement as to...

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4. Every notice of determination following written representations in accordance with...
5. Every notice of determination following written representations in accordance with...
6. An authority may include in the notice of determination any...
7. Parts II, III and IV of this Schedule shall apply...
8. Where a notice of determination is given following a review...
PART II — AWARDS WHERE INCOME SUPPORT IS PAYABLE
9. Where a person on income support is awarded council tax...
PART III — AWARDS WHERE NO INCOME SUPPORT IS PAYABLE
10. Where a person is not on income support but is...
PART IV — NOTICE WHERE INCOME OF NON-DEPENDANT IS TREATED AS CLAIMANT'S INCOME
11. Where an authority makes a determination under regulation 12 (circumstances...
PART V — NOTICE WHERE NO AWARD IS MADE
12. Where a person is not awarded council tax benefit under...
PART VI — AWARDS WHERE ALTERNATIVE MAXIMUM COUNCIL TAX BENEFIT IS PAYABLE IN RESPECT OF A DAY
13. Where a person is awarded council tax benefit determined in...
14. Notice where no award of alternative maximum council tax benefit is made
15. Notice where council tax benefit is awarded and section 131(9) of the Contributions and Benefits Act 1992 applies
PART VII — NOTICE WHERE THERE IS RECOVERABLE EXCESS BENEFIT
16. Except in cases to which paragraphs (a) and (b) of...

SCHEDULE 7 — CONSTITUTION OF REVIEW BOARDS

1. A Review Board appointed by an authority listed in column...
2. The members of a Review Board shall appoint one of...

Explanatory Note