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STATUTORY INSTRUMENTS

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**2010 No. 2429**

**The Social Security (Miscellaneous  
Amendments) (No. 5) Regulations 2010**

**Amendments to the Housing Benefit Regulations 2006**

- 7.—(1) The Housing Benefit Regulations 2006<sup>(1)</sup> are amended as follows.
- (2) In regulation 28(8)(k)<sup>(2)</sup> (treatment of child care charges)—
- (a) after “by a foster parent” insert “or kinship carer”;
  - (b) for “Fostering of Children (Scotland) Regulations 1996” substitute “Looked After Children (Scotland) Regulations 2009”;
  - (c) after “is fostering” insert “or kinship carer is looking after”.
- (3) In Schedule 5 (sums to be disregarded in the calculation of income other than earnings) for paragraph 26<sup>(3)</sup> substitute—
- “**26.** Any payment made to the claimant with whom a person is accommodated by virtue of arrangements made—
- (a) by a local authority under—
    - (i) section 23(2)(a) of the Children Act 1989 (provision of accommodation and maintenance for a child whom they are looking after),
    - (ii) section 26 of the Children (Scotland) Act 1995 (manner of provision of accommodation to child looked after by local authority), or
    - (iii) regulations 33 or 51 of the Looked After Children (Scotland) Regulations 2009 (fostering and kinship care allowances and fostering allowances); or
  - (b) by a voluntary organisation under section 59(1)(a) of the Children Act 1989 (provision of accommodation by voluntary organisations).”.
- (4) In Schedule 5, paragraph 28<sup>(4)</sup> and Schedule 6 (capital to be disregarded), paragraph 19<sup>(5)</sup> before “29” insert “22,”.

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(1) [S.I. 2006/213](#).

(2) Inserted by [S.I. 2009/1848](#).

(3) Relevant amending instrument is [S.I. 2006/2378](#).

(4) Relevant amending instrument is [S.I. 2008/2767](#).

(5) Relevant amending instrument is [S.I. 2008/2767](#).