
STATUTORY INSTRUMENTS

2021 No. 1405

The Social Security (Income and Capital Disregards) (Amendment) Regulations 2021

Amendment of the Housing Benefit Regulations 2006

5.—(1) The Housing Benefit Regulations 2006⁽¹⁾ are amended as follows.

(2) In regulation 2 (interpretation)—

(a) in the appropriate places insert—

““child abuse payment” means a payment from a scheme established or approved by the Secretary of State for the purpose of providing compensation in respect of historic institutional child abuse in the United Kingdom;”;

““Windrush payment” means a payment made under the Windrush Compensation Scheme (Expenditure) Act 2020;”;

(b) in the definition of “qualifying person”, after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”.

(3) In regulation 42(7A) (notional income), for “a payment of income which is a Grenfell Tower payment” substitute—

“any of the following payments of income—

(a) a Grenfell Tower payment;

(b) a child abuse payment;

(c) a Windrush payment.”.

(4) In regulation 46(6) (income treated as capital), after “Grenfell Tower payment” insert “, a child abuse payment, a Windrush payment”.

(5) In regulation 49(4A) (notional capital), for “a payment of capital which is a Grenfell Tower payment” substitute—

“any of the following payments of capital—

(a) a Grenfell Tower payment;

(b) a child abuse payment;

(c) a Windrush payment.”.

(6) In regulation 74(9) (non-dependant deductions), after sub-paragraph (ba) insert—

“(bb) any child abuse payment;

(bc) any Windrush payment;”.

(7) In paragraph 35 of Schedule 5 (sums to be disregarded in the calculation of income other than earnings)—

(a) for sub-paragraph (1A) substitute—

“(1A) Any—

- (a) Grenfell Tower payment;
 - (b) child abuse payment;
 - (c) Windrush payment.”.
- (b) in sub-paragraphs (2) to (6), after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”.
- (8) In Schedule 6 (capital to be disregarded)—
- (a) in paragraph 24—
 - (i) in sub-paragraph (1A) after “Grenfell Tower payment” insert “, child abuse payment, Windrush payment”;
 - (ii) in sub-paragraphs (2) to (6), after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”;
 - (b) in paragraph 34, after “Grenfell Tower payment” insert “, child abuse payment or Windrush payment”.