

## SCHEDULE 14

Regulation 32(3)

### **Matters to be included in a notification**

#### **PART 1**

##### **General**

1. The statement of matters to be included in any notification issued by an authority in accordance with paragraph 9 of Schedule 13 (notification of decision) are the matters set out in the following provisions of this Schedule.

2. Every notification must include a statement as to the right of any person affected by the decision to request a written statement under paragraph 9(5) of Schedule 13 (requests for statement of reasons), and the manner and time in which to do so.

3. Every notification notice must include a statement as to the right of any person affected by the decision to appeal against the decision in accordance with paragraphs 8 and 10 of Schedule 12 (procedure by which a person may make an appeal against certain decisions of the authority), and the manner and time in which to do so.

#### **PART 2**

##### **Awards of reductions where state pension credit or extended payment (qualifying contributory benefits) is payable: pensioners**

4.—(1) Where a pensioner who is in receipt of state pension credit is awarded a reduction under an authority's scheme, the notification must include a statement as to—

- (a) the normal weekly amount of council tax the person would be liable to pay before any reduction is awarded under an authority's scheme, rounded to the nearest penny;
- (b) the maximum weekly amount of reduction the person could be entitled to under an authority's scheme, rounded to the nearest penny;
- (c) the normal weekly amount of reduction the authority has determined the person is entitled to under its scheme, rounded to the nearest penny;
- (d) the amount and category of any non dependant deductions made in accordance with the authority's scheme, if any; and
- (e) the first day that the person is entitled to a reduction under the authority's scheme,

and in any case where the amount to which sub-paragraph (a) to (c) refers disregards fractions of a penny, the notice must include a statement to that effect.

(2) In a case where a pensioner who is in receipt of state pension credit has entitlement only to the savings credit, the notification must also set out the following matters—

- (a) the person's applicable amount and the basis of the calculation;
- (b) the amount of the savings credit taken into account;
- (c) the amount of the person's income and capital as notified to the authority by the Secretary of State and taken into account for the purposes of the determination of the reduction under the authority's scheme;
- (d) any modification made to the person's income or capital (paragraph 8 of Schedule 1 (calculation of pensioner's income in savings credit only cases) refers); and

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

(e) the amount of the person's capital in that case.

(3) Where a pensioner is entitled to an extended payment (qualifying contributory benefits) (paragraph 32 of Schedule 1 refers), the notification must include a statement as to the matters set out in paragraph 4(1).

### **PART 3**

Awards of reductions where state pension credit not in payment: pensioners

5. Where a pensioner who is not in receipt of state pension credit is awarded a reduction under an authority's scheme, the notification must include a statement as to—

- (a) the matters set out in paragraph 4 (1);
- (b) the pensioner's applicable amount and how it is calculated;
- (c) the pensioner's weekly earnings; and
- (d) the pensioner's income and other earnings.

### **PART 4**

Notice where no award of a reduction is made: pensioners

6. Where a pensioner is not awarded a reduction under an authority's scheme—

- (a) on the ground of income, the notification must include a statement as to—
  - (i) the matters set out in paragraph 4(1)(a), and
  - (ii) the matters set out in paragraph 5(b) to (d) where the pensioner is not on state pension credit;
- (b) for any other reason, the decision notice must include a statement as to the reason why no award has been made.

### **PART 5**

Awards of reductions where income support, income-based jobseeker's allowance, income-related employment and support allowance, an extended payment or an extended payment (qualifying contributory benefits) is payable: persons who are not pensioners

7.—(1) Where a person who is not a pensioner and who is on income support, an income-based jobseeker's allowance, or an income-related employment and support allowance is awarded a reduction under an authority's scheme, the notification must include a statement as to—

- (a) the normal weekly amount of council tax the person would be liable to pay before any reduction is awarded under an authority's scheme, rounded to the nearest penny;
- (b) the maximum weekly amount of reduction the person could be entitled to under the authority's scheme, rounded to the nearest penny;
- (c) the normal weekly amount of reduction the authority has determined the person is entitled to under its scheme, rounded to the nearest penny;
- (d) the amount and category of any non dependant deductions made in accordance with the authority's scheme, if any; and

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

(e) the first day that the person is entitled to a reduction under the authority's scheme, and in any case where the amount to which sub-paragraph (a) to (c) refers disregards fractions of a penny, the notice must include a statement to that effect.

(2) Where a person who is not a pensioner is entitled to an extended payment or an extended payment (qualifying contributory benefits) in accordance with an authority's scheme, the notification must include a statement as to the matters set out in paragraph 7(1).

## PART 6

Awards of reduction where universal credit is payable: persons who are not pensioners

**8.** Where a person who is not a pensioner and who has an award of universal credit is awarded a reduction under an authority's scheme, the notification must include a statement as to—

- (a) the matters set out in paragraph 7 (1);
- (b) the person's applicable amount (paragraph 3 of Schedule 6) (applicable amount: persons who are not pensioners who have an award of universal credit) refers; and
- (c) the person's income (paragraph 9 of Schedule 6 (calculation of income and capital; persons who are not pensioners who have an award of universal credit) refers).

## PART 7

Awards of reduction where no income support, income-based jobseeker's allowance, income-related employment and support allowance or universal credit is payable: persons who are not pensioners

**9.** Where a person who is not a pensioner and who is not on income support, income-based jobseeker's allowance, income-related employment and support allowance or universal credit is awarded a reduction under an authority's scheme, the notification must include a statement as to—

- (a) the matters set out in paragraph 7 (1);
- (b) the person's applicable amount and how it is calculated;
- (c) the person's weekly earnings; and
- (d) the person's weekly income other than earnings.

## PART 8

Notice where no award of a reduction is made: persons who are not pensioners

**10.** Where a person who is not a pensioner is not awarded a reduction under an authority's scheme—

- (a) on the ground of income, the notification must include a statement as to—
  - (i) the matters set out in paragraph 7(a); and
  - (ii) the matters set out in paragraph 8(b) and (c) where the person is not on income support, an income-based jobseeker's allowance, an income-related employment and support allowance, or universal credit;
- (b) for any other reason, the notification must include a statement as to the reason why no award has been made.

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

## **PART 9**

### **Notice where income of non-dependant is treated as applicant's income: pensioners and persons who are not pensioners**

**11.** Where an authority makes a decision under its scheme to treat the capital and income of a non-dependant as the applicant's, (paragraph 6 of Schedule 1 and paragraph 8 of Schedule 6 refer), the notification must contain a statement as to—

- (a) the fact that a decision has been made by reference to the income and capital of the applicant's non-dependant, and
- (b) the authority's reason for making that decision.