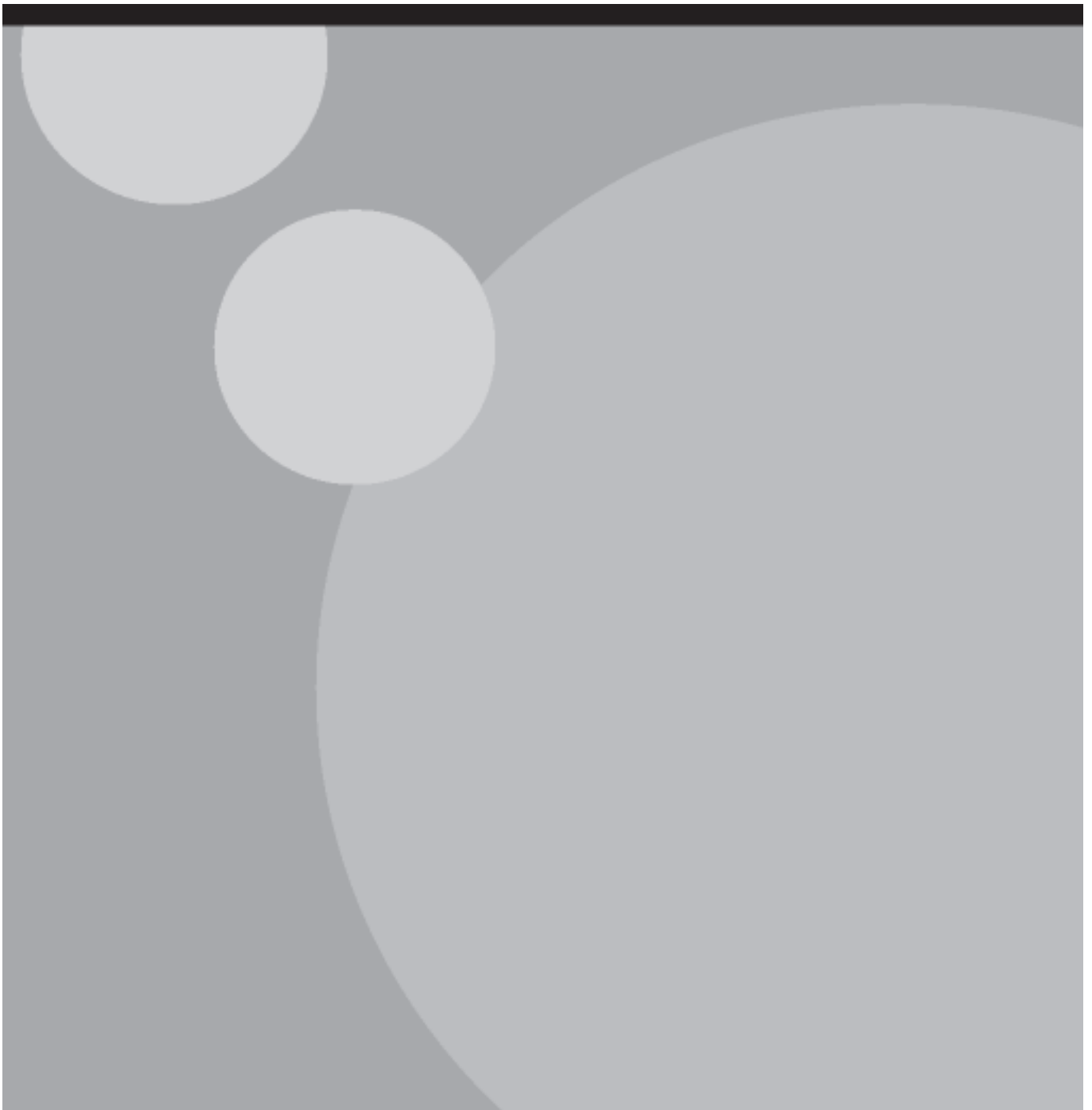




Localising support for council tax

Explanatory Note on Draft Regulations





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1. Prescribed Requirements and Default Scheme regulations – explanatory note

- 1.1 Localising council tax support: regulations prescribing: (i) requirements for all council tax reduction schemes (including provisions relating to persons who have attained the qualifying age for state pension credit); and (ii) the default council tax reduction scheme

Introduction:

- 1.2 These two sets of draft regulations have been prepared by the Department for Communities and Local Government under the new Schedule 1A to the Local Government Finance Act 1992 (to be inserted by Schedule 4 to the Local Government Finance Bill, subject to the will of Parliament).
- 1.3 The sets of regulations covered by this explanatory note are:
- (i) regulations under paragraphs 2(8) to (12) of new Schedule 1A, prescribing requirements for local schemes ('the prescribed requirements regulations'); and
 - (ii) regulations under paragraph 4(1) of that Schedule, prescribing the 'default' council tax reduction scheme.
- 1.4 The prescribed requirements regulations are concerned with ensuring that each billing authority's scheme contains certain administrative provisions relating to all schemes and provision ensuring support for pensioners in financial need.
- 1.5 The default scheme will take effect in relation to a billing authority's area if the authority fails to make a scheme on or before 31 January 2013 (or such other date as is specified in section 8(4) of the Local Government Finance Act 2012) – see paragraph 4(6) of new Schedule 1A.
- 1.6 The regulations will apply to England only.

Structure and purpose of this note

- 1.7 This explanatory note and regulations should be read in conjunction with Chapter 4 of the Statement of Intent on these regulations published by the Government in May:
- <http://www.communities.gov.uk/localgovernment/localgovernmentfinance/counciltax/counciltaxsupport/>
- 1.8 This note provides additional commentary on:

- (i) The approach taken in the regulations;
- (ii) Proposals for taking Universal Credit into account;
- (iii) Relationship of these regulations to other regulations to be published; and
- (iv) Next steps

1.9 The publication of these regulations in draft form is intended to give authorities and interested parties greater certainty to assist in the publication of their schemes, and also to give authorities the opportunity to make any comments or ask questions on the draft regulations, to ensure billing authorities are able to implement the prescribed requirements or default scheme smoothly.

1.10 We would welcome feedback or suggestions from Revenues and Benefits practitioners and others, which should be sent to the following email address, with the heading 'LCTS Draft Regulations':

LCTS-Reform@communities.gsi.gov.uk

Approach in the regulations

1.11 Under section 4(6) of new Schedule 1A to the Local Government Finance Act 1992 the default scheme takes effect in relation to the dwellings situated in a billing authority's area if the authority fails to make a scheme.

1.12 The approach to calculating council tax reductions reflects that in existing SI 2006/215 (the Council Tax Benefit Regulations 2006) and SI 2006/216 (the Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006). The default scheme prescribes provision for:

- (i) treatment of 'pensioners';¹
- (ii) treatment of people who are not pensioners;
- (iii) exclusion of those who are subject to immigration control and/or not otherwise treated as being in Great Britain; and
- (iv) a small number of prescribed administrative requirements

1.13 As set out in the Statement of Intent, the prescribed requirements regulations set out:

- (i) prescribed provision for pensioners; and

¹ As set out in the Statement of Intent, for the purposes of these regulations, a person is a pensioner if they have attained the qualifying age for state pension credit. This is defined by the State Pension Credit Act 2002 as: 'in the case of a woman, pensionable age, and in the case of a man, the age which is pensionable age in the case of a woman born on the same day as a man.' Women's pensionable age, as set out in the Pensions Act 1995 (S126 and Schedule 4) is gradually changing over a 10-year period to equalise with that of men. It currently stands at just over 61. Both women and men will continue to qualify for council tax support when they reach state pension credit eligible age.

- (ii) exclusion of those who are subject to immigration control and/or not otherwise treated as being in Great Britain; and
- (iii) a small number of prescribed administrative requirements

1.14 Please note that there will be further changes to the provisions regarding non-EEA nationals in the final Council Tax Reduction Schemes regulations to reflect final Universal Credit regulations.

Structure of the regulations

- 1.15 The default scheme is presented in the Schedule to the regulations. It can be extracted and adopted if required.
- 1.16 Existing regulations have necessarily been re-ordered to accommodate their new situation under the Local Government Finance Bill. For those who wish to cross-refer back to council tax benefit regulations SI 2006/215 and SI 2006/216 **Annex A** provides two schedules of cross-references as follows: (i) Default Scheme (page 6 ff) and (ii) Prescribed Requirements Scheme (page 15 ff).

Default Scheme: treatment of Universal Credit

1.17 The default scheme makes provision in relation to claimants in receipt of Universal Credit, which is to be introduced from October 2013. More information on Universal Credit can be found here:

<http://www.dwp.gov.uk/policy/welfare-reform/legislation-and-key-documents/welfare-reform-act-2012/welfare-reform-draft-regulations/>

- 1.18 In future, individuals who would have claimed income-based jobseeker's allowance, income-related employment and support allowance and income support, will be awarded Universal Credit. Existing claimants of these benefits will gradually migrate to Universal Credit over a five-year period.
- 1.19 At present, an award of one of these three benefits to a person means that the whole of a claimant's income and capital would be disregarded in assessing their entitlement to council tax benefit, so that they were effectively 'passported' onto full council tax support.
- 1.20 To mitigate additional administration (in particular, complex investigative work around the applicable amount and income assessment), the default scheme will use and modify assessments of income, capital and the amount an individual needs to live on (the 'applicable amount' in council tax reduction terms), which have already been carried out as part of the assessment for Universal Credit. This approach is similar to that to be used for pensioners in 'savings credit only' cases.

- 1.21 Applicants with an award of Universal Credit may still receive 100 per cent support under this system. As stated above, use will be made of assessments of income and living allowance already performed by DWP, minimising red-tape and additional administrative burden for the local authority. These amounts will, however, be adjusted appropriately to take into account the approach taken in calculating council tax reduction support.
- 1.22 In particular:
- The maximum amount will be adjusted down to net off any housing costs element, consistent with the existing approach for netting off housing benefit, which will be reflected in the default scheme.
- 1.23 The income amount provided from the universal credit calculation will be adjusted to a weekly basis and:
- (i) reduced, to net off income disregards under council tax support;
 - (ii) any additional income amounts will be added – e.g. payments of income not already taken into account (including any award of Universal Credit, net of housing costs element and child costs element and represented as a weekly amount), etc.
- 1.24 The means test will then proceed in the normal way under the default scheme – i.e. income will be compared with the applicable amount. Where income is lower than the applicable amount, 100 per cent of maximum council tax reduction will be awarded. Where income is greater than the applicable amount (as defined in regulations), twenty per cent of the difference between the two will be deducted from the individual's council tax liability.
- 1.25 As Universal Credit regulations are finalised, further consideration will also be given to how local authorities should look to take Universal Credit changes of circumstance into account.
- 1.26 Whilst the default scheme provides a possible approach to Universal Credit, local authorities in their own schemes are at liberty to adopt other approaches.

Relationship to the Local Government Finance Act 1992 and related regulations

- 1.27 As flagged in the Statement of Intent published in May, existing council tax regulations (as amended, if necessary) will be used to cover a number of the administrative provisions set out in these draft regulations. Further work is being undertaken over the summer to determine the regulatory vehicle to give these provisions effect (minor adjustments may result). Subject to this work the intent of the regulations remains as stated here and in the Statement of Intent.

- 1.28 Provisions which we expect to be dealt with in existing council tax regulations (as amended) and guidance as a result of this consideration are, in particular: (i) over- and under-payments and recovery of 'excess' reductions (regulations 67–81 of SI 2006/216 and regulations 84-90 of SI 2006/215), and (ii) provisions for local authorities to share information under Schedule 2 of the Local Government Finance Act 1992 and wider information-sharing powers in section 14A of that Act, inserted by the Bill. More information will be provided on these aspects in September.
- 1.29 The intent of these regulations remains as stated in the draft regulations and the Statement of Intent.

Transitional Arrangements

- 1.30 The Statement of Intent on regulations published in May indicated that the Government will be providing transitional regulations to assist the practical steps authorities will have to make in moving from council tax benefit and council tax reduction.

Statutory References

- 1.31 Statutory references and cross-references in the regulations will be updated in detail over the summer period.

ANNEX A

(i) Derivation table for the Council Tax Reduction Schemes (Default scheme) (England) Regulations 2012 (draft of 16 July 2012)

| Default Scheme Regulations | | Source regulations/ provisions | | |
|--|--|--------------------------------|---------------------------|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| A. Default Scheme Regulations | | | | |
| 1 | Citation, commencement and application | - | - | - |
| 2 | Default Scheme | - | - | - |
| B. Schedule to Default Scheme Regulations 1 & 2 | | | | |
| 1 | Citation | - | - | - |
| 2 | Interpretation | 2 | 2 | S137 |
| 3 | Application of scheme: pensioners and persons who are not pensioners | 5(1) | 5 | - |
| 4 | Meaning of "couple" | 2(1) | 2(1) | S137(1)& S137(1A) |
| 5 | Polygamous marriages | - | - | S133(1)&(2) |
| 6 | Meaning of "family". | 9 | 9 | S137(1) |
| 7 | Circumstances in which a person is to be treated as responsible or not responsible for another | 10 | 10 | - |
| 8 | Households | 11 | 11 | - |
| 9 | Non-dependants | 3 | 3 | - |
| 10 | Remunerative work | 6 | 6 | - |
| 11 | Procedure for reduction applications and appeals against reduction decisions | - | - | - |
| 12 | Classes of person entitled to a reduction under this scheme | - | - | - |
| 13 | Class A: pensioners whose income is less than the applicable amount | 33 | 33 | S136 |
| 14 | Class B: pensioners whose income is greater than the applicable amount | 33 and 59 | 33 | S136 |
| 15 | Class C: alternative maximum council tax reduction – pensioners | 46 | 47 | S136 |

| Default Scheme Regulations | | Source regulations/ provisions | | |
|----------------------------|---|--------------------------------|---------------------------|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| 16 | Class D: persons who are not pensioners whose income is less than the applicable amount | 33 | 33 | S136 |
| 17 | Class E: persons who are not pensioners whose income is greater than the applicable amount | 33 and 43 | 33 | S136 |
| 18 | Class F: persons who are not pensioners - alternative maximum council tax reduction | 63 | - | S136 |
| 19 | Periods of absence from a dwelling | 8 | 8 | S131(3)(b) |
| 20 | Classes of person excluded from this scheme | - | - | - |
| 21, 21A & 21B | Class of person excluded from this scheme: persons treated as not being in Great Britain | 5(1), 7 and 45(1) | 7 | S131(3)(b) |
| 22 | Class of persons excluded from this scheme: persons subject to immigration control | - | - | - |
| 23 | Class of persons excluded from this scheme: students | 45(1) | - | - |
| 24 | Applicable amounts: pensioners | - | 12 | - |
| 25 | Applicable amounts: persons who are not pensioners. | 12 | - | - |
| 26 | Polygamous marriages: persons who are not pensioners. | 13 | - | - |
| 27 | Applicable amount: persons who are not pensioners who have an award of universal credit. | - | - | - |
| 28 | Maximum council tax reduction under this scheme: pensioners and persons who are not pensioners. | 57 | 40 | - |

| Default Scheme Regulations | | Source regulations/ provisions | | |
|----------------------------|--|--------------------------------|---------------------------|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| 29 | Non-dependant deductions: pensioners and persons who are not pensioners | 58 | 42 | - |
| 30 | Alternative maximum council tax reduction under this scheme: pensioners and persons who are not pensioners | 62 | 46 | - |
| 31 | Amount of reduction under this scheme: Classes A to F | - | - | S131(8) & (9) |
| 32 | Income and capital: applicant's family and polygamous marriages | 15 and 16 | 13 | S136(1) & (3) |
| 33 | Circumstances in which capital and income of non-dependant is to be treated as applicant's | 16 | 14 | - |
| 34 | Applicant in receipt of guarantee credit: pensioners | - | 16 | - |
| 35 | Calculation of applicant's income in savings credit only cases: pensioners | - | 17 | - |
| 36 | Calculation of income and capital: persons who are not pensioners who have an award of universal credit | - | - | - |
| 37 | Calculation of income and capital where state pension credit is not payable: pensioners. | - | 18 | - |
| 38 | Meaning of "income": pensioners | - | 19(1), (3) to (8) | - |
| 39 | Calculation of weekly income: pensioners | - | 23 | - |
| 40 | Earnings of employed earners: pensioners. | - | 25 | - |
| 41 | Calculation of net earnings of employed earners: pensioners | - | 26 | - |
| 42 | Calculation of earnings of self-employed earners: pensioners | - | 27 | - |
| 43 | Earnings of self-employers earners: pensioners | - | 28 | - |
| 44 | Notional income: pensioners | - | 31 | - |

| Default Scheme Regulations | | Source regulations/ provisions | | |
|----------------------------|--|--------------------------------|---------------------------|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| 45 | Income paid to third parties: pensioners | - | 32 | - |
| 46 | Average weekly earnings of employed earners: persons who are not pensioners | 19 | - | - |
| 47 | Average weekly earnings of self-employed earners: persons who are not pensioners | 20 | - | - |
| 48 | Average weekly income other than earnings: persons who are not pensioners | 21 | - | - |
| 49 | Calculation of weekly income of employed earners: persons who are not pensioners | 23 | - | - |
| 50 | Earnings of employed earners: persons who are not pensioners | 25 | - | - |
| 51 | Calculation of net earnings of employed earners: persons who are not pensioners | 26 | - | - |
| 52 | Earnings of self-employed earners: persons who are not pensioners | 27 | - | - |
| 53 | Calculation of income other than earnings: persons who are not pensioners | 30 | - | - |
| 54 | Capital treated as income: persons who are not pensioners | 31 | - | - |
| 55 | Notional income: persons who are not pensioners | 32 | - | - |
| 56 | Calculation of income on a weekly basis | 17 | 20 | - |
| 57 | Treatment of child care charges | 18 | 21 | - |
| 58 | Calculation of average weekly income from tax credits | 22 | 22 | - |
| 59 | Disregard of changes in tax, contributions etc | 24 | 24 | - |
| 60 | Calculation of net profit of self-employed earners | 28 | 29 | - |

| Default Scheme Regulations | | Source regulations/ provisions | | |
|----------------------------|---|--------------------------------|---------------------------|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| 61 | Deduction of tax and contributions of self-employed earners | 29 | 30 | - |
| 62 | Calculation of capital | 34 and 35 | 34 | - |
| 63 | Income treated as capital: persons who are not pensioners | 36 | - | - |
| 64 | Calculation of capital in the United Kingdom | 37 | 35 | - |
| 65 | Calculation of capital outside the United Kingdom | 38 | 36 | - |
| 66 | Notional capital | 39 | 37 | - |
| 67 | Diminishing notional capital rule | 40 | 38 | - |
| 68 | Capital jointly held | 41 | 39 | - |
| 69 | Calculation of tariff income from capital: pensioners | - | 19(2) | - |
| 70 | Calculation of tariff income from capital: persons who are not pensioners | 42 | - | - |
| 71 | Students: Interpretation | 43 | - | - |
| 72 | Students: Treatment | 44 | - | - |
| 73 | Students who are excluded from entitlement to a council tax reduction under this scheme | 45 | - | - |
| 74 | Students: Calculation of grant income | 46 | - | - |
| 75 | Students: Calculation of covenant income where a contribution is assessed | 47 | - | - |
| 76 | Students: Covenant income where no grant income or no contribution is assessed | 48 | - | - |
| 77 | Students: Relationship with amounts to be disregarded under Schedule 8 | 49 | - | - |
| 78 | Students: Other amounts to be disregarded | 50 | - | - |
| 79 | Students: Treatment of student loans | 51 | - | - |

| Default Scheme Regulations | | Source regulations/ provisions | | |
|----------------------------|---|--------------------------------|---------------------------|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| 80 | Students: Treatment of payments from access funds | 52 | - | - |
| 81 | Students: Disregard of contribution | 53 | - | - |
| 82 | Students: Further disregard of student's income | 54 | - | - |
| 83 | Students: Income treated as capital | 55 | - | - |
| 84 | Students: Disregard of changes occurring during summer vacation | 56 | - | - |
| 85 | Extended reductions: pensioners | - | - | - |
| 86 | Extended payments (qualifying contributory benefits): pensioners | - | 44 | - |
| 87 | Duration of extended reduction period (qualifying contributory benefits): pensioners | - | 44A | - |
| 88 | Amount of extended reduction (qualifying contributory benefits): pensioners | - | 44B | - |
| 89 | Extended reductions (qualifying contributory benefits)—movers: pensioners | - | 44C(1) to (3) | - |
| 90 | Relationship between extended reduction (qualifying contributory benefits) and entitlement to council tax benefit under the general conditions of entitlement: pensioners | - | 44D | - |
| 91 | Continuing reductions where state pension credit claimed: pensioners | - | 45 | - |
| 92 | Extended reductions: persons who are not pensioners | - | - | - |
| 93 | Extended reductions: persons who are not pensioners | 60 | - | - |
| 94 | Duration of extended reduction period: persons who are not pensioners | 60A | - | - |

| Default Scheme Regulations | | Source regulations/ provisions | | |
|----------------------------|---|--------------------------------|---------------------------|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| 95 | Amount of extended reduction: persons who are not pensioners | 60B | - | - |
| 96 | Extended reductions—movers: persons who are not pensioners | 60C(1) to (3) | - | - |
| 97 | Relationship between extended reduction and entitlement to council tax reduction under the general conditions of entitlement: persons who are not pensioners | 60D | - | - |
| 98 | Extended reductions (qualifying contributory benefits) : persons who are not pensioners | 61 | - | - |
| 99 | Duration of extended reduction period (qualifying contributory benefits): persons who are not pensioners | 61A | - | - |
| 100 | Amount of extended reduction (qualifying contributory benefits): persons who are not pensioners | 61B | - | - |
| 101 | Extended reductions (qualifying contributory benefits)—movers: persons who are not pensioners | 61C(1) to (3) | - | - |
| 102 | Relationship between extended reduction (qualifying contributory benefits) and entitlement to council tax reduction under the general conditions of entitlement: persons who are not pensioners | 61D | - | - |
| 103 | Extended reductions: movers into the authority's area | - | - | - |
| 104 | Date on which entitlement begins | 64 | 48 | - |
| 105 | Date on which change of circumstances is to take effect | 67 | 50 | - |
| 106 | Change of circumstances where state pension credit in payment | - | 51 | - |

| Default Scheme Regulations | | Source regulations/ provisions | | |
|--|---|---|---|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| 107 | Who may make an application | 68 | 52 | - |
| 108 | Date on which an application is made | 69 | 53 | - |
| 109 | Back-dating of applications: pensioners | - | 53(1ZA) and (1ZB) | - |
| 110 | Back-dating of applications: persons who are not pensioners | 69(14) and (14A) | - | - |
| 111 | Evidence and information | 72 | 57 | - |
| 112 | Amendment and withdrawal of application | 73 | 58 | - |
| 113 | Duty to notify changes of circumstances | 74 | 59 for certain purposes and omitting 59(10) | - |
| 114 | Decision by authority | 75(2) | 60(2) | - |
| 115 | Notification of decision | 76 | 61 | - |
| 116 | Time and manner of granting reduction under this scheme | 77 | 62 | - |
| 117 | Person to whom reduction is to be paid | 78 | 63 | - |
| 118 | Shortfall in reduction | 79 | 64 | - |
| 119 | Payment on the death of the person entitled | 80 | 65 and SI 1992/613 | - |
| Schedule 1 – Procedural matters | | | | |
| 1 to 3 | Procedure by which a person may apply for a reduction under this scheme | 69(1), (2), (4B), (4C), (4D), (4E) and (4F) | 53(1), (2), (4A), (4CA), (4D), (4E), (4EA), (4F) and (4G) | - |
| 4 to 6 | Procedure by which a person may apply for a reduction under this scheme | 69 (7),(7A) and (9) | 53 (7),(7A) and (9) | - |
| 7 to 8 | Procedure by which a person may apply for a reduction under this scheme | 69 (4BA) and (4C) | 53 (4C) and (4CA) | - |
| 9 | Procedure by which a person may make an appeal against certain decisions of the authority | - | - | - |
| 10 | Procedure for an application to the authority for a reduction | 69A | 53A | - |

| Default Scheme Regulations | | Source regulations/ provisions | | |
|---|---|--------------------------------|---------------------------|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| | under section 13A(1)(c) of the 1992 Act | | | |
| 11 to 17 | Electronic communication | Schedule 9 | Schedule 8 | - |
| Schedule 2 – Applicable amounts: pensioners | | | | |
| 1 to 12 | Applicable amounts: pensioners | - | Schedule 1 | - |
| Schedule 3 – Applicable amounts: persons who are not pensioners | | | | |
| 1 to 29 | Applicable amounts: persons who are not pensioners | Schedule 1 | - | - |
| Schedule 4 – Amount of alternative maximum council tax reduction | | | | |
| 1 to 3 | Amount of alternative maximum council tax reduction | Schedule 2 | Schedule 6 | - |
| Schedule 5 – Sums disregarded from applicant's earnings: pensioners | | | | |
| 1 to 11 | Sums disregarded from applicant's earnings: pensioners | - | Schedule 2 | - |
| Schedule 6 – Amounts to be disregarded in the calculation of income other than earnings: pensioners | | | | |
| 1 to 24 | Amounts to be disregarded in the calculation of income other than earnings: pensioners | - | Schedule 3 | - |
| Schedule 7 – Sums to be disregarded in the calculation of income other than earnings: persons who are not pensioners | | | | |
| 1 to 66 | Sums to be disregarded in the calculation of income other than earnings: persons who are not pensioners | Schedule 4 | - | - |
| Schedule 8 – Sums to be disregarded in the calculation of earnings: persons who are not pensioners | | | | |
| 1 to 19 | Sums to be disregarded in the calculation of earnings: persons who are not pensioners | Schedule 3 | - | - |

| Default Scheme Regulations | | Source regulations/ provisions | | |
|--|---|--------------------------------|---------------------------|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| Schedule 9 – Capital disregards: pensioners | | | | |
| 1 to 33 | Capital disregards: pensioners | - | Schedule 4 | - |
| Schedule 10 – Capital to be disregarded: persons who are not pensioners | | | | |
| 1 to 64 | Capital to be disregarded: persons who are not pensioners | Schedule 5 | - | - |

(ii) Derivation table for the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 (draft of 16 July 2012)

| Prescribed Requirement Regulations | | Source regulations/ provisions | | |
|------------------------------------|--|--------------------------------|---------------------------|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| Regulations | | | | |
| 1 | Citation, commencement and application | - | - | - |
| 2 | Interpretation | 2 | 2 | S137 |
| 3 | Meaning of “pensioner” and “person who is not a pensioner” | 5(1) | 5 | - |
| 4 | Meaning of “couple” | 2(1) | 2(1) | S137(1)& S137(1A) |
| 5 | Polygamous marriages | - | - | S133(1)&(2) |
| 6 | Meaning of “family” | 9 | 9 | S137(1) |
| 7 | Circumstances in which a person is to be treated as responsible or not responsible for another | 10 | 10 | - |
| 8 | Households | 11 | 11 | - |

| Prescribed Requirement Regulations | | Source regulations/ provisions | | |
|--|--|--------------------------------|---------------------------|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| 9 | Non-dependants | 3 | 3 | - |
| 10 | Remunerative work | 6 | 6 | - |
| 11 | Pensioners | - | - | - |
| 12, 12A & 12B | Persons treated as not being in Great Britain | 5(1), 7 and 45(1) | 7 | S131(3)(b) |
| 13 | Persons subject to immigration control | - | - | - |
| 14 | Provision for pensioners | - | - | - |
| 15 | Provision for all applicants | - | - | - |
| Schedule 1 - Pensioners: matters that must be included in a scheme | | | | |
| 1 | Classes of persons entitled to a reduction under this scheme | | - | - |
| 2 | Class A: pensioners whose income is less than the applicable amount | - | 33 | S136 |
| 3 | Class B: pensioners whose income is greater than the applicable amount | - | 33 | S136 |
| 4 | Class C: alternative maximum council tax reduction – pensioners | - | 47 | S136 |
| 5 | Periods of absence from a dwelling | - | 8 | S131(3)(b) |
| 6 | Date on which an application is made. | - | 53 | - |
| 7 | Back-dating of applications: pensioners. | | 53(1ZA) and (1ZB) | - |
| 8 | Further provision about applications | | - | - |

| Prescribed Requirement Regulations | | Source regulations/ provisions | | |
|------------------------------------|--|--------------------------------|---------------------------|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| 9 | Applicable amounts | | 12 | - |
| 10 | Maximum council tax reduction under a scheme | - | 40 | - |
| 11 | Non-dependant deductions | - | 42 | - |
| 12 | Alternative maximum council tax reduction under a scheme | - | 46 | - |
| 13 | Amount of reduction under a scheme: Classes A to C | | - | S131(8) & (9) |
| 14 | Income and capital: applicant's family and polygamous marriages. | - | 13 | S136(1) & (3) |
| 15 | Circumstances in which capital and income of non-dependant is to be treated as applicant's | - | 14 | - |
| 16 | Applicant in receipt of guarantee credit | | 16 | - |
| 17 | Calculation of applicant's income in savings credit only cases | | 17 | - |
| 18 | Calculation of income and capital where state pension credit is not payable | | 18 | - |
| 19 | Meaning of "income" | | 19(1), (3) to (8) | - |
| 20 | Calculation of weekly income | | 23 | - |
| 21 | Earnings of employed earners | | 25 | - |
| 22 | Calculation of net earnings of employed earners | | 26 | - |

| Prescribed Requirement Regulations | | Source regulations/ provisions | | |
|------------------------------------|---|--------------------------------|---------------------------|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| 23 | Calculation of earnings of self-employed earners | | 27 | - |
| 24 | Earnings of self-employers earners | | 28 | - |
| 25 | Notional income | | 31 | - |
| 26 | Income paid to third parties | | 32 | - |
| 27 | Calculation of income on a weekly basis. | | 20 | - |
| 28 | Treatment of child care charges. | | 21 | - |
| 29 | Additional condition: disability | | - | - |
| 30 | Calculation of average weekly income from tax credits | | 22 | - |
| 31 | Disregard of changes in tax, contributions etc | | 24 | - |
| 32 | Calculation of net profit of self-employed earners | | 29 | - |
| 33 | Deduction of tax and contributions of self-employed earners | | 30 | - |
| 34 | Calculation of capital | | 34 | - |
| 35 | Calculation of capital in the United Kingdom | | 35 | - |
| 36 | Calculation of capital outside the United Kingdom | | 36 | - |
| 37 | Notional capital. | | 37 | - |
| 38 | Diminishing notional capital rule | | 38 | - |

| Prescribed Requirement Regulations | | Source regulations/ provisions | | |
|------------------------------------|---|--------------------------------|---------------------------|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| 39 | Capital jointly held | | 39 | - |
| 40 | Calculation of tariff income from capital | | 19(2) | - |
| 41 | Extended payments (qualifying contributory benefits) | | 44 | - |
| 42 | Duration of extended reduction period (qualifying contributory benefits) | | 44A | - |
| 43 | Amount of extended reduction (qualifying contributory benefits) | | 44B | - |
| 44 | Extended reductions (qualifying contributory benefits)—movers | | 44C(1) to (3) | - |
| 45 | Relationship between extended reduction (qualifying contributory benefits) and entitlement to council tax reduction under the general conditions of entitlement | | 44D | - |
| 46 | Continuing reductions where state pension credit claimed | | 45 | - |
| 47 | Extended reductions: movers into the authority's area | | - | - |
| 48 | Date on which entitlement begins | | 48 | - |
| 49 | Date on which change of circumstances is to take effect | | 50 | - |
| 50 | Change of circumstances where state pension credit in payment | | 51 | - |

| Prescribed Requirement Regulations | | Source regulations/ provisions | | |
|--|--|---|---|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| Schedule 2 – Applicable amounts | | | | |
| Schedule 2 1 to 12 | Applicable amounts | - | Schedule 1 | - |
| Schedule 3 – Amount of alternative maximum council tax reduction | | | | |
| Schedule 3 1 to 3 | Amount of alternative maximum council tax reduction | Schedule 2 | Schedule 6 | - |
| Schedule 4 – Sums disregarded from applicant's earnings | | | | |
| Schedule 4 1 to 11 | Sums disregarded from applicant's earnings | - | Schedule 2 | - |
| Schedule 5 – Amounts to be disregarded in the calculation of income other than earnings | | | | |
| Schedule 5 1 to 24 | Amounts to be disregarded in the calculation of income other than earnings | - | Schedule 3 | - |
| Schedule 6 – Capital disregards | | | | |
| Schedule 6 1 to 34 | Capital disregards | - | Schedule 4 | - |
| Schedule 7 – All applicants: matters that must be included in an authority's scheme – procedural matter | | | | |
| Schedule 7 1 to 3 | Procedure by which a person may apply for a reduction under this scheme. | 69(1), (2), (4B), (4C), (4D), (4E) and (4F) | 53(1), (2), (4A), (4CA), (4D), (4E), (4EA), (4F) and (4G) | - |
| Schedule 7 4 to 6 | Procedure by which a person may apply for a reduction under this scheme. | 69 (7),(7A) and (9) | 53 (7),(7A) and (9) | - |

| Prescribed Requirement Regulations | | Source regulations/ provisions | | |
|--|--|--------------------------------|---|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| Schedule 7 7 to 8 | Procedure by which a person may apply for a reduction under this scheme. | 69 (4BA) and (4C) | 53 (4C) and (4CA) | - |
| Schedule 7 9 | Procedure by which a person may make an appeal against certain decisions of the authority. | - | - | - |
| Schedule 7 10 | Procedure for an application to the authority for a reduction under section 13A(1)(c) of the 1992 Act. | 69A | 53A | - |
| Schedule 7 11 to 17 | Electronic communication. | Schedule 9 | Schedule 8 | - |
| Schedule 8 – All applicants: matters that must be included in an authority’s scheme – other matters | | | | |
| Schedule 8 1 to 2 | Extended reductions: movers into an authority’s area | - | - | - |
| Schedule 8 3 to 4 | Date on which change of circumstances is to take effect | 67 | 50 | - |
| Schedule 8 5 to 6 | Who may make an application | 68 | 52 | - |
| Schedule 8 7 | Evidence and information | 72 | 57 | - |
| Schedule 8 8 | Amendment and withdrawal of application | 73 | 58 | - |
| Schedule 8 9 | Duty to notify changes of circumstances | 74 | 59 for certain purposes and omitting (10) | - |
| Schedule 8 10 | Decisions by an authority | - | - | - |

| Prescribed Requirement Regulations | | Source regulations/ provisions | | |
|------------------------------------|--|--------------------------------|---------------------------|---|
| Paragraph | Text | SI 2006 No. 215 regulation | SI 2006 No.216 regulation | Social Security Contributions and Benefits Act 1992 section |
| Schedule 8 11 | Decision by authority | 75(2) | 60(2) | - |
| Schedule 8 12 | Notification of decision | 76 | 61 | - |
| Schedule 8 13 | Award or payment of reduction | - | - | - |
| Schedule 8 14 | Time and manner of granting reduction under a scheme | 77 | 62 | - |
| Schedule 8 15 | Person to whom reduction is to be paid | 78 | 63 | - |
| Schedule 8 16 | Shortfall in reduction | 79 | 64 | - |
| Schedule 8 17 | Payment on the death of the person entitled | 80 | 65 and SI 1992/613 | - |