WELSH STATUTORY INSTRUMENTS

2013 No. 552 (W.62)

HOUSING, WALES

The Housing Renewal Grants (Amendment) (Wales) Regulations 2013

Made - - - -	*11 March 2013*
Laid before the National Assembly for Wales - -	*11 March 2013*
Coming into force - -	*1 April 2013*

The Welsh Ministers, in exercise of the powers conferred upon the Secretary of State by sections 30 and 146 of the Housing Grants, Construction and Regeneration Act 1996(**1**), transferred to the National Assembly for Wales(**2**), and now vested in them(**3**) make the following Regulations.

Title, commencement and application

1.—(1) The title of these Regulations is The Housing Renewal Grants (Amendment) (Wales) Regulations 2013 and they come into force on 1 April 2013.

(2) These Regulations apply in relation to Wales.

Amendments to the Housing Renewal Grants Regulations 1996

2.—(1) The Housing Renewal Grants Regulations 1996(**4**) are amended in accordance with paragraphs (2) to (9).

(2) In regulation 2(1)(**5**) (interpretation)—

(a) omit the definition of "council tax benefit"; and

(b) at the appropriate places in alphabetical order insert—

""the 2012 Act" means the Welfare Reform Act 2012;";

(**1**) 1996 c. 53.

(**2**) Powers of the Secretary of State under sections 30 and 146 of the Housing Grants, Construction and Regeneration Act 1996 were transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(**3**) Powers of the National Assembly for Wales under sections 30 and 146 of the Housing Grants, Construction and Regeneration Act 1996 were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(**4**) S.I. 1996/2890.

(**5**) There are amendments to regulation 2(1) not relevant to these Regulations.

""council tax reduction scheme" means a scheme made by a local authority in accordance with the Council Tax Reduction Scheme and Prescribed Requirements (Wales) Regulations 2012 or which applies in default in accordance with paragraph 6(1)(e) of Schedule 1B to the Local Government Finance Act 1992;"; and

""personal independence payment" means a personal independence payment under Part 4 of the 2012 Act;".

(3) In regulation 10 (the applicable amount)—

(a) omit paragraph (3)(a)(i);

(b) omit "or" at the end of sub-paragraph (3)(a)(iv); and

(c) after sub-paragraph (3)(a)(v) insert—

"or

(vi) a reduction in payment of council tax under a council tax reduction scheme.".

(4) In regulation 19 (treatment of child care charges)—

(a) after paragraph (3)(d)(vii)(**6**) insert—

"(viii) personal independence payment;";

(b) omit "or" at the end of paragraph (3)(f);

(c) after paragraph (3)(g) insert—

"; or

(h) personal independence payment would be payable but for regulations under section 85 (care home residents) or section 86(1) (hospital in-patients) of the 2012 Act";

(d) omit "or" at the end of paragraph (8)(b)(ii); and

(e) after paragraph (8)(b)(iii) insert—

"; or

(iv) in respect of whom personal independence payment is payable, or would be payable but for regulations made under section 85 (care home residents) or section 86(1) (hospital in-patients) of the 2012 Act".

(5) In Schedule 1 (applicable amounts)—

(a) in paragraph 12 (additional condition for the higher pensioner and disability premiums), after sub-paragraph (1)(a)(v) insert—

"(vi) is in receipt of personal independence payment or would be so in receipt but for regulations made under section 85 (care home residents) or section 86(1) (hospital in-patients) of the 2012 Act; or";

(b) in paragraph 13 (severe disability premium)—

(i) in sub-paragraph (2)(a)(i) for "or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act" substitute ", the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act or the daily living component of personal independence payment at the standard or enhanced rate prescribed in accordance with section 78(3) of the 2012 Act";

(**6**) There is an amendment to regulation 19(3) not relevant to these Regulations.

(ii) in sub-paragraph (2)(b)(i) for "or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act" substitute ", the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act or the daily living component of personal independence payment at the standard or enhanced rate prescribed in accordance with section 78(3) of the 2012 Act";

(iii) in sub-paragraph (2)(b)(ii) after "allowance" in each place it appears insert "or payment";

(iv) after sub-paragraph (4)(b)(**7**) insert—

"; or

(c) the daily living component of personal independence payment, that person would be so in receipt but for regulations made under section 85 (care home residents) or section 86(1) (hospital in-patients) of the 2012 Act"; and

(v) after sub-paragraph (5)(b) insert—

"; or

(c) a person receiving the daily living component of personal independence payment";

(c) in paragraph 13A (enhanced disability premium(**8**)), after sub-paragraph (b) insert—

"; or

(c) the daily living component of personal independence payment is payable, or would be payable, at the enhanced rate prescribed under section 78(2) of the 2012 Act but for regulations made under section 85 (care home residents) or section 86(1) (hospital in-patients) of the 2012 Act";

(d) in paragraph 14 (disabled child premium) after sub-paragraph (1)(c) insert—

"; or

(d) is a young person who is in receipt of personal independence payment or who would be in so receipt but for regulations made under section 85 (care home residents) or section 86(1) (hospital in-patients) of the 2012 Act, provided that the young person continues to be a member of the family"; and

(e) in paragraph 15 (carer premium), in sub-paragraph (2)(b)(**9**) for "or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act" substitute ", the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act or the daily living component of personal independence payment at the standard or enhanced rate prescribed in accordance with section 78(3) of the 2012 Act".

(6) In Schedule 1A (applicable amounts for persons who have attained or whose partner has attained the qualifying age for state pension credit)(**10**)—

(a) in paragraph 7 (severe disability premium)—

(i) in sub-paragraph (2)(a)(i) for "or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act" substitute ", the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the 1992 Act or the daily

(**7**) There is an amendment to paragraph 13(4)(b) not relevant to these Regulations.
(**8**) Paragraph 13A was inserted in relation to Wales by S.I. 2001/2073.
(**9**) Paragraph 15(2) was amended in relation to Wales by S.I. 2004/253.
(**10**) Schedule 1A was inserted in relation to Wales by S.I. 2006/2801.