STATUTORY INSTRUMENTS

2015 No. 1647

SOCIAL SECURITY

The Social Security (Housing Costs Amendments) Regulations 2015

Made - - - -	*7th September 2015*
Laid before Parliament	*10th September 2015*
Coming into force - -	*1st April 2016*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 123(1)(a), 135(1), 137(1) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(**1**), sections 4(5), 35(1) and 36(2) and (4) of the Jobseekers Act 1995(**2**), sections 4(2)(a), 24(1) and 25(2), (3) and (5) of the Welfare Reform Act 2007(**3**) and sections 11(4) and (5)(b), 40, 42(1), (2) and (3) of, and paragraph 1 of Schedule 6 to, the Welfare Reform Act 2012(**4**).

The Social Security Advisory Committee has agreed that the proposals in respect of these Regulations should not be referred to it(**5**).

Citation and commencement

1. These Regulations may be cited as the Social Security (Housing Costs Amendments) Regulations 2015 and come into force on 1st April 2016.

Amendment of the Income Support (General) Regulations 1987

2.—(1) The Income Support (General) Regulations 1987(**6**) are amended as follows, subject to regulation 8 (saving provision).

(2) In Schedule 3 (housing costs)(**7**)—

(**1**) 1992 c. 4. Section 137(1) is an interpretation provision and is cited for the meaning of "prescribed". Section 175(1) is amended by paragraph 29 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2).
(**2**) 1995 c. 18. Section 35(1) is an interpretation provision and is cited for the meaning of "regulations".
(**3**) 2007 c. 5. Section 24(1) is an interpretation provision and is cited for the meaning of "prescribed" and "regulations".
(**4**) 2012 c. 5. Section 40 is an interpretation provision and is cited for the meaning of "prescribed".
(**5**) *See* section 173(1)(b) of the Social Security Administration Act 1992 (c. 5).
(**6**) S.I. 1987/1967.
(**7**) Schedule 3 was modified by S.I. 1995/516 and 2008/3195. S.I. 2008/3195 is revoked by regulation 7(1) of these Regulations, subject to regulation 7(2) and regulation 8 (savings). Relevant amendments were made to Schedule 3 by S.I. 1995/1613 and 2927, 1996/206, 1997/2305, 1999/1921, 2001/3651 and 488, 2002/841, 2004/2825 and 2008/1554.

(a) in paragraph 1(2) (housing costs), omit the definition of "existing housing costs" and "new housing costs";

(b) omit paragraph 6 (existing housing costs);

(c) omit paragraph 7 (transitional protection);

(d) in paragraph 8 (new housing costs)—

(i) in sub-paragraphs (1) and (1A), omit "new";

(ii) omit sub-paragraphs (2) to (5); and

(iii) for the heading, substitute "Housing costs";

(e) in paragraph 9 (general exclusions from paragraphs 6 and 8)—

(i) in sub-paragraph (1), for "Paragraphs 6 and 8" substitute "Paragraph 8"; and

(ii) in the heading, for "paragraphs 6 and 8" substitute "paragraph 8";

(f) in paragraph 10 (the calculation for loans), for "existing housing costs or, as the case may be, new housing costs" substitute "housing costs";

(g) in paragraph 11 (general provisions applying to new and existing housing costs)—

(i) omit sub-paragraphs (2) and (3); and

(ii) in the heading, omit "new and existing";

(h) in paragraph 13(9) (excessive housing costs), for "paragraphs 6 and 8" substitute "paragraph 8"; and

(i) in paragraph 14 (linking rule)—

(i) in sub-paragraph (3AA)(a), omit "6(1) or";

(ii) in sub-paragraph (9), omit paragraph (a); and

(iii) in sub-paragraph (13), omit "6(1)(a), 6(1)(b) or".

Amendment of the Jobseeker's Allowance Regulations 1996

3.—(1) The Jobseeker's Allowance Regulations 1996(**8**) are amended as follows, subject to regulation 8 (saving provision).

(2) In Schedule 2 (housing costs)(**9**)—

(a) in paragraph 1(2) (housing costs), omit the definition of "existing housing costs" and "new housing costs";

(b) omit paragraph 6 (existing housing costs);

(c) in paragraph 7 (new housing costs)—

(i) in sub-paragraphs (1) and (2), omit "new";

(ii) omit sub-paragraphs (3) to (7); and

(iii) for the heading, substitute "Housing costs";

(d) in paragraph 8 (general exclusions from paragraphs 6 and 7)—

(i) in sub-paragraph (1), for "Paragraphs 6 and 7" substitute "Paragraph 7"; and

(ii) in the heading, for "Paragraphs 6 and 7" substitute "Paragraph 7";

(**8**) S.I. 1996/207.

(**9**) Schedule 2 was modified by S.I. 2008/3195. S.I. 2008/3195 is revoked by regulation 7(1) of these Regulations, subject to regulation 7(2) and regulation 8 (savings). Relevant amendments were made to Schedule 2 by S.I. 1996/1516, 1997/2305, 1999/192, 2000/1978, 2001/488 and 3651, 2002/841, 2004/2825 and 2008/1554.

(e) in paragraph 9 (the calculation for loans), for "existing housing costs or, as the case may be, new housing costs" substitute "housing costs";

(f) in paragraph 10 (general provisions applying to new and existing housing costs)—

(i) omit sub-paragraphs (1) and (2); and

(ii) in the heading, omit "new and existing";

(g) in paragraph 12(9) (excessive housing costs), for "paragraphs 6 and 7" substitute "paragraph 7";

(h) in paragraph 13 (linking rule)—

(i) in sub-paragraph (4A)(a), omit "6(1) or";

(ii) in sub-paragraph (11), omit paragraph (a); and

(iii) in sub-paragraph (15), omit "6(1)(a), 6(1)(b) or"; and

(i) in paragraph 18 (continuity with income support or income-related employment and support allowance), omit sub-paragraph (1)(a).

Employment and Support Allowance Regulations 2008

4.—(1) The Employment and Support Allowance Regulations 2008(**10**) are amended as follows, subject to regulation 8 (saving provision).

(2) In Schedule 6 (housing costs)(**11**)—

(a) in paragraph 1(2) (housing costs), omit the definition of "existing housing costs" and "new housing costs";

(b) omit paragraph 8 (existing housing costs);

(c) in paragraph 9 (new housing costs)—

(i) in sub-paragraphs (1) and (2), omit "new";

(ii) omit sub-paragraphs (4) to (7); and

(iii) for the heading, substitute "Housing costs";

(d) in paragraph 10 (general exclusions from paragraphs 8 and 9)—

(i) in sub-paragraph (1), for "Paragraphs 8 and 9" substitute "Paragraph 9"; and

(ii) in the heading, for "paragraphs 8 and 9" substitute "paragraph 9";

(e) in paragraph 11 (the calculation for loans), for "existing housing costs or, as the case may be, new housing costs" substitute "housing costs";

(f) in paragraph 12 (general provisions applying to new and existing housing costs)—

(i) omit sub-paragraphs (1) and (2); and

(ii) in the heading, omit "new and existing";

(g) in paragraph 14(9) (excessive housing costs), for "paragraphs 8 and 9" substitute "paragraph 9";

(h) in paragraph 15 (linking rule)—

(i) in sub-paragraph (6)(a), omit "8(1) or";

(ii) in sub-paragraph (14), omit paragraph (a); and

(iii) in sub-paragraph (18), omit "8(1)(a), 8(1)(b) or"; and

(**10**) S.I. 2008/794.

(**11**) Schedule 6 was modified by S.I. 2008/3195. S.I. 2008/3195 was revoked by regulation 7(1) of these Regulations, subject to regulation 7(2) and regulation 8 (savings).