STATUTORY INSTRUMENTS

1991 No. 587

The Housing Benefit and Community Charge Benefit (Subsidy) Order 1991

PART II

HOUSING BENEFIT SUBSIDY

Treatment of certain residential accommodation

9. Where any part of an authority's housing benefit qualifying expenditure is attributable to rebates or allowances granted under the Social Security and Housing Benefits Act 1982(**1**) to persons in respect of accommodation provided under—

(a) sections 21 to 24 and 26 of the National Assistance Act 1948(**2**) (provision of accommodation); or

(b) section 21(1) of and paragraph 1 or 2 of Schedule 8 to the National Health Service Act 1977(**3**) (prevention, care and after-care); or

(c) section 59 of the Social Work (Scotland) Act 1968(**4**) (provision of residential and other establishments) where board is available to the claimant,

for the purposes of article 4(1)(b)(ii), the appropriate amount for the relevant year shall be 90 per cent. of the housing benefit qualifying expenditure so attributable.

(**1**) 1982 c. 24.

(**2**) 1948, c. 29; section 21 was amended by the Local Government Act 1972 (c. 70), Schedule 23 paragraphs 1 and 2 and Schedule 30; the National Health Service Reorganisation Act 1973 (c. 32), Schedule 4, paragraph 44 and Schedule 5; the Housing (Homeles Persons) Act 1977 (c. 48), Schedule; and the National Health Service Act 1977 (c. 49), Schedule 15, paragraph 5. Section 22 was amended by the Social Work (Scotland) Act 1968 (c. 49), section 87(4) and Schedule 9, Part 1; the Supplementary Benefits Act 1976 (c. 71) Schedule 7, paragraph 3; the Housing (Homeless Persons) Act 1977 (c. 48), Schedule; the Social Security Act 1980 (c. 30), section 20, Schedule 4, paragraph 2(1) and Schedule 5, Part II the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), section 20(1)(a) and the Social Security Act 1986 (c. 50), section 86 and Schedule 10, Part II, paragraph 32. Section 24 was amended by the National Assistance (Amendment) Act 1959 (c. 30), section 1(1); the National Health Service (Scotland) Act 1972 (c. 58), Schedule 6, paragraph 82; the Local Government Act 1972 (c. 70), Schedule 23, paragraph 2; the National Health Reorganisation Act 1973 (c. 32), Schedule 4, paragraph 45 and the Housing (Homeless Persons) Act 1977 (c. 48), Schedule. Section 26 was amended by the Health Services and Public Health Act 1968 (c. 46), section 44 and Schedule 4 and the Social Work (Scotland) Act 1968 (c. 49), Schedule 9, Part I and applied by section 87(3); the Local Government Act 1972 (c. 70), Schedule 23, paragraph 2; the Housing (Homeless Persons) Act 1977 (c. 48), Schedule and the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), section 20(1)(b).

(**3**) 1977 c. 49; paragraphs 1 and 2 of Schedule 8 were amended by section 30 Schedule 10, Part I of the Health and Social Services and Social Security Adjudications Act 1983 (c. 41); paragraph 1 was also amended by the Education Reform Act 1988 (c. 40) section 237 and Schedule 12 Part I, paragraph 22; paragraph 2 was also amended by section 148, Schedule 4 of the Mental Health Act 1983 (c. 20).

(**4**) 1968 c. 49.