
STATUTORY INSTRUMENTS

1994 No. 1925

SOCIAL SECURITY

**The Housing Benefit (Supply of Information) and Council
Tax Benefit (General) Amendment Regulations 1994**

Made - - - - *18th July 1994*
Laid before Parliament *21st July 1994*
Coming into force - - *1st September 1994*

The Secretary of State for Social Security, in exercise of the powers conferred on him by sections 127(1) and (2), 128(1) and (2) and 189 (1) and (4) to (6) of the Social Security Administration Act 1992(1), and of all other powers enabling him in that behalf, after consultation with organisations appearing to him to be representative of the authorities concerned(2), and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(3), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Housing Benefit (Supply of Information) and Council Tax Benefit (General) Amendment Regulations 1994 and shall come into force on 1st September 1994.

Amendment of the Housing Benefit (Supply of Information) Regulations 1988

2.—(1) The Housing Benefit (Supply of Information) Regulations 1988(4) shall be amended in accordance with the following provisions of this regulation.

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

(a) for the definition of “claimant” there shall be substituted the following definition—

““claimant” means a person by whom or in respect of whom a claim for housing benefit has been made;”;

(b) after the definition of “claimant” there shall be inserted the following definition—

(1) 1992 c. 5; sections 128(1) and (2) and 189 of the Social Security Administration Act 1992 were amended to have effect with respect to council tax benefit by the Local Government Finance Act 1992 (c. 14), section 103 and Schedule 9, paragraphs 18(1) and (2) and 24.
(2) See the Social Security Administration Act 1992 (c. 5), section 176(1).
(3) See the Social Security Administration Act 1992, section 173(1)(b) and (7); section 173(7) defines “regulations”.
(4) S.I. 1988/662. Relevant amending instrument is S.I. 1992/432.

““family” has the meaning assigned to it in section 137(1) of the Social Security Contributions and Benefits Act 1992(5);”.

- (3) In regulation 2(1)(k) (information to be supplied by the Secretary of State to an authority)–
- (a) in head (i) for the words “calculation and recovery” there shall be substituted the words “detection, investigation, calculation, recovery and prevention”;
 - (b) in head (ii) for the words “the investigation” there shall be substituted the words “the detection, investigation”.
- (a) (4) (a) Regulation 3 (information to be supplied by an authority to the Secretary of State) shall be renumbered paragraph (1) of regulation 3.
- (b) In sub-paragraph (c) of paragraph (1) of regulation 3–
- (i) in head (i) for the words “calculation and recovery” there shall be substituted the words “detection, investigation, calculation, recovery and prevention”;
 - (ii) in head (ii) for the words “the investigation” there shall be substituted the words “the detection, investigation”;
 - (iii) in head (iii) the full stop shall be replaced by a comma;
 - (iv) after head (iii) there shall be added the words–

“including, in so far as it is required by the Secretary of State for any such purpose, any of the information specified in paragraph (2) (“the specified information”).”.
- (c) After paragraph (1) of regulation 3 there shall be added the following paragraph–
- “(2) The specified information referred to in paragraph (1) is–
- (a) the name, date of birth, national insurance number and sex of any claimant and of any member of the claimant’s family;
 - (b) the address of any claimant and any previous address of his during the 3 years preceding the date on which such information is supplied;
 - (c) whether the claim of any claimant has been determined and, if so, whether housing benefit has been awarded;
 - (d) where the claimant is entitled to housing benefit, the manner in which it is paid to him;
 - (e) where a claimant has a bank account or building society account, particulars of that account;
 - (f) the name and address of any employer of a claimant;
 - (g) particulars of the income and capital of any claimant and of any member of the claimant’s family;
 - (h) the name and address of the landlord of any claimant and of any agent acting on behalf of the landlord in respect of the management of the dwelling which the claimant occupies as his home.”.

Amendment of the Council Tax Benefit Regulations

3.—(1) The Council Tax Benefit (General) Regulations 1992(6) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 92 (information to be supplied by the Secretary of State to an appropriate authority)–

(5) 1992 c. 4.

(6) S.I. 1992/1814. Relevant amending instrument is 1993/688.

- (a) in sub-paragraph (k) of paragraph (1)–
 - (i) in head (i) for the words “calculation and recovery” there shall be substituted the words “detection, investigation, calculation, recovery and prevention”;
 - (ii) in head (ii) for the words “the investigation” there shall be substituted the words “the detection, investigation”;
- (b) in paragraph (2) after the words “in this regulation” there shall be added the words “and in regulation 93”.
- (a) (3) (a) Regulation 93 (information to be supplied by an appropriate authority to the Secretary of State) shall be renumbered paragraph (1) of regulation 93.
- (b) In sub-paragraph (c) of paragraph (1) of regulation 93–
 - (i) in head (i) for the words “calculation and recovery” there shall be substituted the words “detection, investigation, calculation, recovery and prevention”;
 - (ii) in head (ii) for the words “the investigation” there shall be substituted the words “the detection, investigation”;
 - (iii) in head (iii) the full stop shall be replaced by a comma;
 - (iv) after head (iii) there shall be added the words–

“including, in so far as it is required by the Secretary of State for any such purpose, any of the information specified in paragraph (2) (“the specified information”).”.
- (c) After paragraph (1) of regulation 93 there shall be added the following paragraph–

“(2) The specified information referred to in paragraph (1) is–

 - (a) the name, date of birth, national insurance number and sex of any person and of any member of his family;
 - (b) the address of any person and any previous address of his during the 3 years preceding the date on which such information is supplied;
 - (c) whether the claim of any person has been determined and, if so, whether council tax benefit has been awarded;
 - (d) where council tax benefit is paid to a person entitled to that benefit, the manner in which it is paid to him;
 - (e) where a person has a bank account or building society account, particulars of that account;
 - (f) the name and address of any employer of any person;
 - (g) particulars of the income and capital of any person and of any member of his family.”.

Signed by authority of the Secretary of State for Social Security.

18th July 1994

Astor
Parliamentary Under-Secretary of State,
Department of Social Security

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Housing Benefit (Supply of Information) Regulations 1988 (S.I.1988/662), and the Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814).

With respect to housing benefit and council tax benefit,

- (a) they amend the categories of information which the Secretary of State may supply to local authorities, to include information required for certain purposes in relation to overpayments of, and offences relating to, housing benefit and council tax benefit;
- (b) they amend the categories of information which local authorities are to supply to the Secretary of State, to include information required for certain purposes in relation to overpayments of, and offences relating to, social security benefits.

With respect to the Housing Benefit (Supply of Information) Regulations 1988 they amend the definition “claimant” and provide a definition of “family”.

These Regulations do not impose a charge on businesses.