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STATUTORY INSTRUMENTS

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**1997 No. 1000**

**HOUSING, ENGLAND AND WALES**

**The Rent Officers (Additional Functions) (Amendment) Order 1997**

<i>Made</i>	- - - -	<i>20th March 1997</i>
<i>Laid before Parliament</i>		<i>20th March 1997</i>
<i>Coming into force</i>		
<i>Articles 2(a) and 3(1)</i>		<i>6th October 1997</i>
<i>Remainder</i>		<i>14th April 1997</i>

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred upon them by section 121(1) and (2) of the Housing Act 1988<sup>(1)</sup> and of all other powers enabling them in that behalf, hereby make the following Order—

**Citation and commencement**

1.—(1) This Order may be cited as the Rent Officers (Additional Functions) (Amendment) Order 1997.

(2) Articles 2(a) and 3(1) shall come into force on 6th October 1997 and the remainder of this Order shall come into force on 14th April 1997.

**Amendments**

2. The Rent Officers (Additional Functions) Order 1995<sup>(2)</sup> shall be amended as follows—

(a) for article 5(4) of the Rent Officers (Additional Functions) Order 1995<sup>(3)</sup> (exceptions) substitute—

“(4) No determination shall be made under paragraph 4A of Part I of Schedule 1 (single room rents)<sup>(4)</sup> unless the local authority states in the application that the claimant is, or may be,—

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(1) 1988 c. 50; there are amendments to section 121 which are not relevant to this Order.  
(2) S.I. 1995/1642; relevant amending instrument is S.I. 1996/959.  
(3) S.I. 1995/1642; relevant amending instrument is S.I. 1996/959.  
(4) Paragraph 4A was inserted by S.I. 1996/959.

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**Status:** This is the original version (as it was originally made).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

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- (a) a young individual (which has the same meaning as in the 1987 Regulations<sup>(5)</sup>),  
or
  - (b) a single claimant (which has the same meaning as in the 1987 Regulations<sup>(6)</sup>) to whom paragraph (3C) of regulation 11 of the 1987 Regulations<sup>(7)</sup> applies.”; and
- (b) at the beginning of paragraph 1 of Schedule 3 (redeterminations) insert “Article 3(2) and”.

### **Application**

3.—(1) The amendment made by article 2(a) does not have effect in a case where an application for a determination is made before the date that amendment comes into force.

(2) The amendment made by article 2(b) does not have effect in a case where an application for a determination is made before the date that amendment comes into force.

Signed by authority of the Secretary of State

20th March 1997

*David Curry*  
Minister of State,  
Department of the Environment

20th March 1997

*William Hague*  
Secretary of State for Wales

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(5) See regulation 2(1) amended by S.I. 1996/965.

(6) See regulation 2(1).

(7) Regulation 11(3C) was inserted by S.I. 1997/852.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Rent Officers (Additional Functions) Order 1995 which conferred functions on rent officers, in connection with housing benefit and rent allowance subsidy, and requires them to make determinations and redeterminations in respect of tenancies and licences of dwellings.

Article 2(a) amends the circumstances in which a single room rent determination may be made under paragraph 4A of Part I of Schedule 1 to the 1995 Order to cases where the housing benefit claimant is, or may be, a young individual or single claimant as defined in that provision. Before this amendment, such determinations could only be made in relation to claimants who were young individuals. The amendment made by article 2(b) applies article 3(2) of the 1995 Order (no determination before additional information received) to redeterminations.

The amendment made by article 2(a) comes into force on 6th October 1997 and the amendment made by article 2(b) comes into force on 14th April 1997. Article 3 stops an amendment applying to applications made before the date that amendment comes into force.