
STATUTORY INSTRUMENTS

1997 No. 1004

SOCIAL SECURITY

**The Housing Benefit and Council
Tax Benefit (Subsidy) Order 1997**

Made - - - - 19th March 1997

Laid before Parliament 26th March 1997

Coming into force in accordance with article 1(1)

**THE HOUSING BENEFIT AND COUNCIL
TAX BENEFIT (SUBSIDY) ORDER 1997**

PART I

GENERAL

1. Citation, commencement and interpretation

PART II

HOUSING BENEFIT SUBSIDY

2. Interpretation of Part II
3. Amount of housing benefit subsidy
4. Rebates and allowances
5. Backdated benefit
6. Disproportionate rent increase
7. Treatment of high rents
8. Rent officers' determinations
9. Additions in respect of homeless and short lease rebates
10. Further additions to housing benefit subsidy
11. Deductions to be made in calculating housing benefit subsidy in respect of rebates or allowances
12. Deduction from housing benefit subsidy
13. Additions to and deductions from housing benefit subsidy in respect of benefit savings

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PART III

COUNCIL TAX BENEFIT SUBSIDY

14. Interpretation of Part III
 15. Amount of council tax benefit subsidy
 16. Council tax benefit
 17. Backdated benefit
 18. Additions to council tax benefit subsidy
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 21. Additions to and deductions from council tax benefit subsidy in respect of benefit savings
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SCHEDULE 1 — CALCULATION OF HOUSING BENEFIT SUBSIDY IN RESPECT OF ADMINISTRATION COSTS

PART I — GENERAL INTERPRETATION

1. (1) The additional sum which may be paid to an...

PART II — APPLICABLE AMOUNT

2. Housing benefit amount

PART III — ADJUSTMENT AMOUNT

3. The adjustment referred to in paragraph 1 shall be calculated...
4. In each case where a claim for housing benefit, to...
5. Where an authority's total credits in accordance with paragraph 4(a)...
6. Where an authority's total debits in accordance with paragraph 4(b)...
7. This paragraph applies where a claim to which paragraph 4...
8. This paragraph applies where a claim to which paragraph 4...

PART IV — ADDITION FOR ACQUIRING AUTHORITIES

9. The addition that, pursuant to Part I, is to be...

SCHEDULE 2 — CALCULATION OF COUNCIL TAX BENEFIT SUBSIDY IN RESPECT OF ADMINISTRATION COSTS

PART I — GENERAL INTERPRETATION

1. (1) The additional sum which may be paid to an...

PART II — APPLICABLE AMOUNT

2. Council tax benefit applicable amount
3. Calculation of applicable amount
4. Where the total of the housing benefit amount and the...
5. Where, in the case of an appropriate authority in England...
6. Until the applicable amount under this Part as calculated under...

PART III — ADJUSTMENT FACTOR FOR PRIORITISATION OF CLAIMS

7. The adjustment referred to in paragraph 1 in relation to...
8. In each case where a claim for council tax benefit,...
9. Where an authority's total credits in accordance with paragraph 8(a)...
10. Where an authority's total debits in accordance with paragraph 8(b)...
11. This paragraph applies where a claim to which paragraph 8...
12. This paragraph applies where a claim to which paragraph 8...

PART IV — ADJUSTMENT FACTOR FOR THE 1996 ORDER

13. (1) In the case of an authority in England or...

SCHEDULE 3 — MAXIMUM AMOUNTS OF HOUSING BENEFIT SUBSIDY PAYABLE IN RESPECT OF CERTAIN AUTHORITIES IN SCOTLAND

SCHEDULE 4 — CALCULATION OF DEDUCTIONS FROM HOUSING BENEFIT SUBSIDY AND COUNCIL TAX BENEFIT SUBSIDY IN RESPECT OF PERIOD OVERRUNS

PART I — GENERAL INTERPRETATION

1. In this Schedule, unless the context otherwise requires— “period overrun”...

PART II — DEDUCTIONS

2. The percentage referred to in article 4(3)(a) for an authority...
3. The percentage referred to in article 4(3)(b) for an authority...
4. The percentage referred to in article 16(2) for an appropriate...

PART III — CALCULATIONS AND TABLE

5. (1) In the heading to column (1) in the Table...

SCHEDULE 5 — THRESHOLD ABOVE WHICH REDUCED HOUSING BENEFIT SUBSIDY IS PAYABLE ON RENT ALLOWANCES

SCHEDULE 6 — RENT OFFICERS' DETERMINATIONS

1. Calculation of the appropriate amount
2. Where the rent officer determines a property-specific rent, does not...
3. Where the rent officer determines a property-specific rent, and does...
4. Rent officers' property-specific and size-related rents
5. Restriction on unreasonable rents or on rent increases
6. Payments on account of rent allowance
7. Deductions in respect of allowances
8. Relevant date
9. Termination date
10. Apportionment
11. Reckonable rent cases
12. In a case where article 8(11) applies, the appropriate amount...
13. Interpretation

SCHEDULE 7 — AMOUNTS BY REFERENCE TO WHICH APPROPRIATE MAXIMUM AMOUNT IS DETERMINED

SCHEDULE 8 — ADDITIONAL SUBSIDY IN RESPECT OF RENT ALLOWANCE CASES

SCHEDULE 9 — BENEFIT SAVINGS

PART I — GENERAL INTERPRETATION

1. (1) The additions to or deductions from, as the case...

PART II — HOUSING BENEFIT SAVINGS

2. Addition to housing benefit subsidy
3. In the case of a relevant authority where the savings...
4. Deduction from housing benefit subsidy

PART III — COUNCIL TAX BENEFIT SAVINGS

5. Council tax benefit savings
6. In the case of an authority where the savings which...
7. Deduction from council tax benefit subsidy

PART IV — TABLE

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8. The Table referred to in this Schedule is as follows:...

SCHEDULE 10 — PRESCRIBED CASELOAD FIGURES

SCHEDULE 11 — PRESCRIBED FIGURES FOR THE CALCULATION OF THE
APPLICABLE AMOUNT

SCHEDULE 12 — COST ADJUSTMENT FACTORS

SCHEDULE 13 — SPECIFIED FIGURES FOR NEW AUTHORITIES IN ENGLAND
AND WALES

Explanatory Note