
EXPLANATORY NOTE

(This note is not part of the Regulations)

Department of Social Security Department of Social Security These Regulations amend the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971) (“the Housing Benefit Regulations”).

Department of Social Security Regulation 5 inserts new paragraphs into regulation 11 of the Housing Benefit Regulations, so as to adjust the maximum rent of a claimant in supported accommodation (as defined).

Regulation 6 amends regulation 12A of the Housing Benefit Regulations, and specifies certain service charges which the appropriate authority is required to identify to the rent officer as eligible or ineligible to be met by housing benefit.

Regulation 7 amends regulation 68 of the Housing Benefit Regulations which is concerned with changes of circumstances, so as to make provision for the date on which receipt of a community care assessment by a person in supported accommodation is to take effect.

Regulation 8 amends Schedule 1 to the Housing Benefit Regulations. In particular, it amends provisions in paragraph 1 of that Schedule concerning service charges in respect of the cleaning of rooms and windows, emergency alarm systems, and general counselling and support. The definition of “supported accommodation” in paragraph 7 of Schedule 1 is amended with new provision made for claimants in respect of whom the local authority has made a community care assessment.

Regulation 9 inserts a new Schedule 1B, which specifies certain service charges which are eligible for housing benefit where the claimant is in supported accommodation (as defined).

Regulation 10 makes consequential amendments to the Housing Benefit (General) Amendment Regulations 1995 (S.I. 1995/1644), in particular amending the definition of “exempt accommodation” so that it follows where appropriate that of “supported accommodation”.

Regulation 11 amends the savings provision provided in the Housing Benefit and Council Tax Benefit (General) Amendment Regulations 1997 (S.I. 1997/852). The appropriate authority is required to deduct certain specified charges from the relevant rent in its calculation of the maximum rent. In addition, the appropriate authority must restrict certain increases in rent (excluding any increases in support charges which fall under Schedule 1B) which it considers unreasonable to be met by housing benefit.

Regulation 12 amends the Housing Benefit (General) Amendment (No. 2) Regulations 1997 (S.I. 1997/1974) (“the 1997 Regulations”) which themselves amend the Housing Benefit Regulations. The 1997 Regulations amend the Housing Benefit Regulations so as to make service charges for general counselling and support eligible for housing benefit where the claimant occupies supported accommodation (as defined). Regulation 3 of the 1997 Regulations provides that those Regulations shall cease to have effect on 31st October 1999. (This date was substituted for the earlier date of 31st October 1998 by S.I. 1998/1732). These Regulations amend regulation 3 of the 1997 Regulations so as to further extend the period during which they have effect until 31st March or 2nd April 2000.

Regulation 13 provides for these Regulations to cease to have effect on either 31st March or 6th April 2003.

Regulation 2 inserts the definition of “supported accommodation” into regulation 2 of the Housing Benefit Regulations.

Regulation 3 amends regulation 8 of the Housing Benefit Regulations and is a minor consequential amendment.

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

Regulation 4 amends regulation 10 of the Housing Benefit Regulations and is a minor consequential amendment.

The costs to business of these Regulations have been assessed in a Regulatory Impact Assessment (“RIA”), a copy of which has been placed in the libraries of both Houses of Parliament. Further copies may be obtained from the Department of Social Security, Regulatory Impact Unit, The Adelphi, 1–11 John Adam Street, London WC2N 6HT.