

**2008 No. 587**

**SOCIAL SECURITY**

**The Rent Officers (Housing Benefit Functions) Amendment  
Order 2008**

<i>Made</i>	- - - -	<i>28th February 2008</i>
<i>Laid before Parliament</i>		<i>10th March 2008</i>
<i>Coming into force</i>	- -	<i>7th April 2008</i>

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by section 122(1) and (6) of the Housing Act 1996(a).

**Citation and commencement**

1. This Order may be cited as The Rent Officers (Housing Benefit Functions) Amendment Order 2008 and shall come into force on 7th April 2008.

**Amendment of the Rent Officers (Housing Benefit Functions) Amendment Order 2007**

2.—(1) The Rent Officers (Housing Benefit Functions) Amendment Order 2007(b) shall be amended as follows.

(2) In article 4 (amendments to the Rent Officers Order relating to the local housing allowance coming into force on 20th March 2008), in paragraph (2)(d) in the inserted paragraph (3A) omit “working”.

(3) In article 6 (amendments to the Rent Officers Order relating to the local housing allowance coming into force on 7th April 2008 save for certain purposes), in paragraph (4)(c)—

(a) for paragraph (ii) substitute—

“(ii) for sub-paragraphs (b) and (c) substitute—

“(b) any local housing allowance determination made in accordance with paragraph (4) shall take effect for the month in which the relevant date falls, except that no such determination can have effect before 7th April 2008; and

(c) any local housing allowance determination made in accordance with paragraph (4A) shall take effect for the month in which notice is given in accordance with sub-paragraph (a), except that no such determination can have effect before 7th April 2008.”; and

(b) omit paragraph (iii).

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(a) 1996 c.52. Section 122 was amended by sections 40 and 67 of and Schedule 5, paragraph 12 and Schedule 8 to the Welfare Reform Act 2007 (c.5).  
(b) S.I. 2007/2871.

(4) In article 13 (amendments to the Rent Officers (Scotland) Order relating to the local housing allowance coming into force on 20th March 2008) in paragraph (2)(d) in the inserted paragraph (3A) omit “working”.

(5) In article 15 (amendments to the Rent Officers (Scotland) Order relating to the local housing allowance coming into force on 7th April 2008 save for certain purposes) in paragraph (4)(c)—

(a) for paragraph (ii) substitute—

“(ii) for sub-paragraphs (b) and (c) substitute—

“(b) any local housing allowance determination made in accordance with paragraph (4) shall take effect for the month in which the relevant date falls, except that no such determination can have effect before 7th April 2008; and

(c) any local housing allowance determination made in accordance with paragraph (4A) shall take effect for the month in which notice is given in accordance with sub-paragraph (a), except that no such determination can have effect before 7th April 2008.”; and

(b) omit paragraph (iii).

Signed by authority of the Secretary of State for Work and Pensions

*Stephen C. Timms*

Minister of State,

Department for Work and Pensions

28th February 2008

#### **EXPLANATORY NOTE**

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

This Order amends the Rent Officers (Housing Benefit Functions) Amendment Order 2007 (“the principal Order”). The principal Order amended the Rent Officers (Housing Benefit Functions) Order 1997 (S.I. 1997/1984) (“the Rent Officers Order”) and the Rent Officers (Housing Benefit Functions) (Scotland) Order 1997 (S.I. 1997/1995) (“The Rent Officers (Scotland) Order”) which confer functions on rent officers in connection with housing benefit and rent allowance subsidy.

Article 4(2)(d) of the principal Order inserted a new paragraph (3A) into article 4B of the Rent Officers Order. Article 2(2) of this Order amends that inserted paragraph to allow for the local housing allowance determinations, to which this provision relates, to take effect on the first day of the month rather than the first working day of the month.

Article 6(4)(c) of the principal Order amended paragraph (5) of article 4B of the Rent Officers Order. Article 2(3) of this Order makes a further amendment to ensure consistency with other changes that were made to article 4B by the principal Order.

Article 2(4) and (5) make similar amendments to the principal Order as it amended the Rent Officers (Scotland) Order.

A full impact assessment has not been produced for this instrument as it has no impact on the private or voluntary sector.

£3.00

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E2098 3/2008 182098T 19585