
STATUTORY INSTRUMENTS

1997 No. 1182

**The Social Security Administration
(Fraud) (Northern Ireland) Order 1997**

Administration of housing benefit

Overseeing of administration by Department

5. After section 128 of the Administration Act insert—

“Reports

Persons to report on administration.

128A.—(1) The Department may authorise persons to consider and report to it on the administration by the Housing Executive of housing benefit and, in particular, the Executive’s performance in the prevention and detection of fraud relating to that benefit.

(2) A person may be authorised under subsection (1) above on such terms and for such period as the Department thinks fit.

Powers of investigation.

128B.—(1) A person authorised under section 128A(1) above—

- (a) has a right of access at all reasonable times to any document relating to the administration of housing benefit;
- (b) is entitled to require from any person holding or accountable for any such document such information and explanation as he thinks necessary; and
- (c) is entitled, if he thinks it necessary, to require any such person to produce any such document or to attend before him in person to give such information or explanation.

(2) A person authorised under section 128A(1) above is entitled to require any officer or member of the Housing Executive or any person involved in the administration of housing benefit for the Executive—

- (a) to give him such information and explanation relating to the administration of housing benefit as he thinks necessary; and
- (b) if he thinks it necessary, to require any such person to attend before him in person to give the information or explanation.

(3) A person who without reasonable excuse fails to comply with a requirement under subsection (1) or (2) above is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(4) A person authorised under section 128A(1) above may—

(a) require any document or information which is to be given to him under subsection (1) or (2) above to be given in any form reasonably specified by him; and

(b) take copies of any document produced to him.

(5) In this section “document” means anything in which information of any description is recorded.

Reports.

128C.—(1) A report about the Housing Executive by a person authorised under section 128A(1) above may include recommendations about improvements which could be made by the Executive in its administration of housing benefit and, in particular, in the prevention and detection of fraud relating to that benefit.

(2) When the Department receives a report about the Housing Executive from a person authorised under section 128A(1) above, it shall send a copy to the Executive.”.