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## SCHEDULES

### SCHEDULE 9

#### SOCIAL SECURITY: COUNCIL TAX BENEFIT

##### *Social Security Administration Act 1992 (c. 5)*

- 12 (1) In subsection (1) of section 6 of the Social Security Administration Act 1992 (regulations about community charge benefits administration)—
- (a) for the words “any community charge benefit” there shall be substituted the words “ council tax benefit ”;
  - (b) in paragraph (d), the words “or a consequential reduction” shall cease to have effect; and
  - (c) in paragraphs (j), (n), (o), (r), (s) and (t), the words “or consequential reduction”, in each place where they occur, shall cease to have effect.
- (2) In subsection (2) of that section, for the words from “provision” to “shall not apply” there shall be substituted the words “ provision in relation to council tax benefit that prescribed provisions shall apply instead of prescribed provisions of Part I or II of the Local Government Finance Act 1992, or that prescribed provisions of either of those Parts shall not apply ”.
- (3) For subsection (3) of that section there shall be substituted the following subsection—
- “(3) References in subsection (2) above to either of the Parts there mentioned include references to regulations made under the Part concerned”.
- 13 In subsection (3) of section 7 of that Act (relationship between community charge benefits and other benefits), for the words “any community charge benefit” there shall be substituted the words “ council tax benefit ”.
- 14 (1) In subsection (1) of section 63 of that Act (adjudication), for paragraphs (b) and (c) there shall be substituted the following paragraph—
- “(b) council tax benefit”.
- (2) In subsection (3) of that section, for the words “community charge benefits” there shall be substituted the words “ council tax benefit ”.

#### **Modifications etc. (not altering text)**

C1 [Sch. 9 para. 14\(2\)](#) excluded (31.3.1993) by [S.I. 1993/502](#), [art.2](#)

- 15 (1) In subsection (1) of section 76 of that Act (excess benefits), for the words “charging authority” there shall be substituted the words “ billing authority ” and for the words “a community charge benefit” there shall be substituted the words “ council tax benefit ”.

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- (2) In subsection (2) of that section, the words “As regards any case where the benefit is in respect of a personal community charge” shall cease to have effect.
- (3) In subsection (3) of that section, for the words “the charge concerned” there shall be substituted the words “ council tax ”.
- (4) Subsections (4), (5) and (7) of that section shall cease to have effect.
- 16 (1) In subsection (1) of section 77 of that Act (shortfall in benefits), for the words “charging authority” there shall be substituted the words “ billing authority ” and for the words “a community charge benefit” there shall be substituted the words “ council tax benefit ”.
- (2) Subsections (2) and (3) of that section shall cease to have effect.
- 17 (1) In subsection (2) of section 116 of that Act (legal proceedings), for the words “community charge benefits”, in both places where they occur, there shall be substituted the words “ council tax benefit ”.
- (2) In subsection (5) of that section, for the words “community charge benefits” there shall be substituted the words “ council tax benefit ”.
- 18 (1) In subsection (1) of section 128 of that Act (information for purposes of community charge benefits), for the words “charging authorities” there shall be substituted the words “ billing authorities ” and for the words “community charge benefits” there shall be substituted the words “ council tax benefit ”.
- (2) In subsection (2) of that section, for the words “Charging authorities” there shall be substituted the words “ Billing authorities ” and for the words “community charge benefits” there shall be substituted the words “ council tax benefit ”.
- (3) In subsection (3) of that section—
- (a) for the words “charging authority” there shall be substituted the words “ billing authority ”;
  - (b) for the words “community charge benefits”, in both places where they occur, there shall be substituted the words “ council tax benefit ”; and
  - (c) for the words “community charge benefit subsidy” there shall be substituted the words “ council tax benefit subsidy ”.
- 19 (1) For subsections (1) and (2) of section 138 of that Act (nature of benefits) there shall be substituted the following subsection—
- “(1) Regulations shall provide that where a person is entitled to council tax benefit in respect of council tax payable to a billing authority or levying authority the benefit shall take such of the following forms as is prescribed in the case of the person—
- (a) a payment or payments by the authority to the person;
  - (b) a reduction in the amount the person is or becomes liable to pay to the authority in respect of the tax for the relevant or any subsequent financial year;
  - (c) both such payment or payments and such reduction.”
- (2) Subsections (3) and (4) of that section shall cease to have effect.

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- (3) In subsection (5) of that section, for the words “subsections (1) and (2)” there shall be substituted the words “ subsection (1) ” and for the words “chargeable financial year”, in both places where they occur, there shall be substituted the words “ financial year ”.
- (4) Subsections (6) to (8) of that section shall cease to have effect.
- (5) In subsection (9) of that section, the words “or (2) or (3)” shall cease to have effect and for the words “the 1987 Act or the 1988 Act” there shall be substituted the words “ Part I or II of the Local Government Finance Act 1992 ”.
- 20 (1) In subsection (1) of section 139 of that Act (arrangements for community charge benefits), for the words “Any community charge benefit” there shall be substituted the words “ Council tax benefit ” and for the words “community charge benefit scheme” there shall be substituted the words “ council tax benefit scheme ”.
- (2) For subsections (2) and (3) of that section there shall be substituted the following subsection—
- “(2) For the purposes of this section the appropriate authority is the billing authority or levying authority which levied the council tax as regards which a person is entitled to the benefit.”
- (3) In subsection (4) of that section, for the words “Charging authorities” there shall be substituted the words “ Billing authorities ” and for the words “community charge benefits” there shall be substituted the words “ council tax benefit ”.
- (4) In subsection (5) of that section, for the words “community charge benefits” there shall be substituted the words “ council tax benefit ”.
- (5) In subsection (6) of that section, for the words “charging authority” there shall be substituted the words “ billing authority ” and for the words “community charge benefit scheme” there shall be substituted the words “ council tax benefit scheme ”.
- (6) In subsection (7) of that section, for the word “benefits”, in both places where it occurs, there shall be substituted the word “ benefit ”.
- (7) In subsection (9) of that section—
- (a) for the words “community charge benefit scheme” there shall be substituted the words “ council tax benefit scheme ”;
- (b) for the words “community charge benefits” there shall be substituted the words “ council tax benefit ”; and
- (c) for the word “benefits”, in the second and third places where it occurs, there shall be substituted the word “ benefit ”.
- (8) In subsection (10) of that section, for the word “benefits” there shall be substituted the word “ benefit ”.
- 21 (1) In subsection (1) of section 140 of that Act (community charge benefit finance), for the words “community charge benefit subsidy” there shall be substituted the words “ council tax benefit subsidy ” and for the words “charging authority” there shall be substituted the words “ billing authority ”.

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- (2) In subsection (2) of that section, for the words “community charge benefit subsidy to be paid to a charging authority” there shall be substituted the words “ council tax benefit subsidy to be paid to a billing authority ”.
- (3) In subsection (3) of that section, for the words “community charge benefits” there shall be substituted the words “ council tax benefit ”.
- (4) In subsection (4) of that section, for the words “to a charging or levying authority by way of community charge benefit subsidy” there shall be substituted the words “ to a billing or levying authority by way of council tax benefit subsidy ”.
- (5) In subsection (5) of that section, for the words “community charge benefit subsidy” there shall be substituted the words “ council tax benefit subsidy ” and for the words “community charge benefits” there shall be substituted the words “ council tax benefit ”.
- (6) In subsection (6) of that section, for the words “community charge benefits” there shall be substituted the words “ council tax benefit ”.
- (7) In subsection (7) of that section, for the words “charging authority” there shall be substituted the words “ billing authority ”.
- 22 In subsection (2)(d) of section 163 of that Act (general financial arrangements), for the words “community charge benefit subsidy” there shall be substituted the words “ council tax benefit subsidy ”.
- 23 In subsection (1) of section 176 of that Act (consultation with representative organisations), for the words “community charge benefits” there shall be substituted the words “ council tax benefit ”.
- 24 In subsection (7) of section 189 of that Act (regulations and orders: general), for the words “community charge benefits” there shall be substituted the words “ council tax benefit ”.
- 25 In section 191 of that Act (interpretation: general)—
- (a) for the definitions of “chargeable financial year” and “charging authority” there shall be substituted the following definition—
- ““billing authority” has the same meaning as in Part I of the Local Government Finance Act 1992;”;
- (b) after the definition of “dwelling” there shall be inserted the following definition—
- ““financial year” has the same meaning as in the Local Government Finance Act 1992;”;
- (c) in the definition of “income-related benefit”, for paragraph (e) there shall be substituted the following paragraph—
- “(e) council tax benefit.”; and
- (d) for the definition of “levying authority” there shall be substituted the following definition—
- ““levying authority” has the same meaning as in Part II of the Local Government Finance Act 1992;”.

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- 26 A statutory instrument containing (alone or with other provisions) regulations or an order relating to council tax benefit and made by virtue of section 6, 7, 63, 76, 77, 128, 138 or 139 of that Act shall not be made before 1st April 1993 unless a draft of the instrument has been laid before and has been approved by a resolution of each House of Parliament.

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