Housing Act 1996

1996 CHAPTER 52

PART IV

[F1UNIVERSAL CREDIT,] HOUSING BENEFIT AND RELATED MATTERS

Textual Amendments

F1 Words in Pt. IV heading inserted (29.4.2013) by The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013 (S.I. 2013/630), regs. 1(2), **12(2)**

120 Payment of housing benefit to third parties.

(1) In section 5 of the M1Social Security Administration Act 1992 (regulations about claims for and payments of benefit), after subsection (5) insert—

"(6) As it has effect in relation to housing benefit subsection (1)(p) above authorises provision requiring the making of payments of benefit to another person, on behalf of the beneficiary, in such circumstances as may be prescribed.".

(2) The above amendment shall be deemed always to have had effect; and provision corresponding to that made by the amendment shall be deemed to have had effect at all material times in relation to corresponding earlier enactments.

Marginal Citations

M1 1992 c. 5.

121 Administration of housing benefit, &c.

Part VIII of the Social Security Administration Act 1992 (arrangements for housing benefit and council tax benefit and related subsidies) is amended in accordance with Schedule 12.

Changes to legislation: *Housing Act 1996, Part IV is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

122 Functions of rent officers in connection with [F2universal credit,] housing benefit and rent allowance subsidy.

(1) The Secretary of State may by order require rent officers to carry out such functions as may be specified in the order in connection with **[**F3universal credit,**]** housing benefit and rent allowance subsidy.

(2) Without prejudice to the generality of subsection (1), an order under this section may contain provision—

(a) enabling a prospective landlord to apply for a determination for the purposes of any application for housing benefit which may be made by a tenant of a dwelling which he proposes to let;

(b) as to the payment of a fee by the landlord for that determination;

(c) requiring the landlord to give a copy of the determination to the appropriate local authority; and

(d) enabling the appropriate local authority to seek a redetermination when a claim for housing benefit or rent allowance subsidy is made.

F4(3) . . . . . .

(4) In relation to rent allowance subsidy, the Secretary of State may by order under section 140B of the Social Security Administration Act 1992—

(a) provide for any calculation under subsection (2) of that section to be made,

(b) specify any additions and deductions as are referred to in **[**F5subsection (4) or (5) of that section**]** , and

(c) exercise his discretion as to what is unreasonable for the purposes of subsection **[**F6(5)(b)**]** of that section,

by reference to determinations made by rent officers in exercise of functions conferred on them under this section.

(5) The Secretary of State may by any such **[**F7order as is mentioned in subsection (4)**]** require a local authority in any prescribed case—

(a) to apply to a rent officer for a determination to be made in pursuance of the functions conferred on them under this section, and

(b) to do so within such time as may be specified in the order F8....

(6) An order under this section—

(a) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament;

(b) may make different provision for different cases or classes of case and for different areas; and

(c) may contain such transitional, incidental and supplementary provisions as appear to the Secretary of State to be desirable.

(7) In this section "housing benefit" and "rent allowance subsidy" have the same meaning as in Part VIII of the M2Social Security Administration Act 1992.

Textual Amendments

F2 Words in s. 122 heading inserted (25.2.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 2 para. 36**; S.I. 2013/358, art. 2(2), Sch. 2 para. 40

F3 Words in s. 122(1) inserted (25.2.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 2 para. 36**; S.I. 2013/358, art. 2(2), Sch. 2 para. 40

Changes to legislation: *Housing Act 1996, Part IV is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

F4 S. 122(3) repealed (7.4.2008) by Welfare Reform Act 2007 (c. 5), s. 70(1), **Sch. 8**; S.I. 2007/2872, art. 2(1)(c) (with arts. 3-5)

F5 Words in s. 122(4)(b) substituted (retrospective to 18.9.2003) by Local Government Act 2003 (c. 26), s. 128(1)(b), **Sch. 7 para. 60(1)(a)**

F6 Word in s. 122(4)(c) substituted (retrospective to 18.9.2003) by Local Government Act 2003 (c. 26), s. 128(1)(b), **Sch. 7 para. 60(1)(b)**

F7 Words in s. 122(5) substituted (7.4.2008) by Welfare Reform Act 2007 (c. 5), s. 70(2), **Sch. 5 para. 12**; S.I. 2007/2872, art. 2(1)(d) (with arts. 3-5)

F8 Words in s. 122(5)(b) repealed (7.4.2008) by Welfare Reform Act 2007 (c. 5), s. 70(1), **Sch. 8**; S.I. 2007/2872, art. 2(1)(c) (with arts. 3-5)

Marginal Citations

M2 1992 c. 5.

123 Consequential amendments: Part IV.

The enactments mentioned in Schedule 13 have effect with the amendments specified there which are consequential on the provisions of this Part.

Changes to legislation:
Housing Act 1996, Part IV is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to :

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by S.I. 2019/110 reg. 5

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by S.I. 2022/1172 Regulations

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 124(1A) inserted by 2016 c. 22 Sch. 7 para. 20(2)
- s. 124(6) inserted by 2016 c. 22 Sch. 7 para. 20(6)
- s. 124A124B inserted by 2016 c. 22 Sch. 7 para. 21
- s. 125A(3A)(3B) inserted by 2016 c. 22 Sch. 7 para. 22(3)
- s. 130A inserted by 2016 c. 22 Sch. 8 para. 7
- s. 133(1A) inserted by 2016 c. 22 Sch. 8 para. 9(2)
- s. 143J(3A) inserted by 2016 c. 22 Sch. 8 para. 13(2)
- s. 143J(7)(a) words omitted by S.I. 2022/1166 reg. 25(11)(b) (This amendment comes into force immediately after 2016 c. 22, s. 120 and Sch. 8 para. 13(3) come into force)
- s. 143GA143GB inserted by 2016 c. 22 Sch. 8 para. 10
- s. 143MA(3A)-(3D) inserted by 2016 c. 22 Sch. 7 para. 27(3)
- s. 143MB inserted by 2016 c. 22 Sch. 7 para. 28