
Changes to legislation: Child Support, Pensions and Social Security Act 2000, Cross Heading: Exercise of powers on behalf of local authorities is up to date with all changes known to be in force on or before 19 January 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

SCHEDULES

SCHEDULE 6

SOCIAL SECURITY INVESTIGATION POWERS

Exercise of powers on behalf of local authorities

3 [F1]For sections 110A and 110B (inspectors appointed by local authorities etc. for the purposes of housing benefit or council tax benefit), there shall be substituted—

“ **Authorisations by local authorities.**

- (1) An individual who for the time being has the authorisation for the purposes of this Part of an authority administering housing benefit or council tax benefit (“a local authority authorisation”) shall be entitled, for any one or more of the purposes mentioned in subsection (2) below, to exercise any of the powers which, subject to subsection (8) below, are conferred on an authorised officer by sections 109B and 109C above.
- (2) Those purposes are—
 - (a) ascertaining in relation to any case whether housing benefit or council tax benefit is or was payable in that case;
 - (b) ascertaining whether provisions of the relevant social security legislation that relate to housing benefit or council tax benefit are being, have been or are likely to be contravened (whether by particular persons or more generally);
 - (c) preventing, detecting and securing evidence of the commission (whether by particular persons or more generally) of benefit offences relating to housing benefit or council tax benefit.
- (3) An individual has the authorisation for the purposes of this Part of an authority administering housing benefit or council tax benefit if, and only if, that authority have granted him an authorisation for those purposes and he is—
 - (a) an individual employed by that authority;
 - (b) an individual employed by another authority or joint committee that carries out functions relating to housing benefit or council tax benefit on behalf of that authority;
 - (c) an individual employed by a person authorised by or on behalf of—
 - (i) the authority in question,
 - (ii) any such authority or joint committee as is mentioned in paragraph (b) above,to carry out functions relating to housing benefit or council tax benefit for that authority or committee;
 - (d) an official of a Government department.

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- (4) Subsection (4) of section 109A above shall apply in relation to a local authority authorisation as it applies in relation to an authorisation under that section.
- (5) A local authority authorisation may be withdrawn at any time by the authority that granted it or by the Secretary of State.
- (6) The certificate or other instrument containing the grant or withdrawal by any local authority of any local authority authorisation must be issued under the hand of either—
- (a) the officer designated under section 4 of the ^{M1}Local Government and Housing Act 1989 as the head of the authority's paid service; or
 - (b) the officer who is the authority's chief finance officer (within the meaning of section 5 of that Act).
- (7) It shall be the duty of any authority with power to grant local authority authorisations to comply with any directions of the Secretary of State as to—
- (a) whether or not such authorisations are to be granted by that authority;
 - (b) the period for which authorisations granted by that authority are to have effect;
 - (c) the number of persons who may be granted authorisations by that authority at any one time; and
 - (d) the restrictions to be contained by virtue of subsection (4) above in the authorisations granted by that authority for those purposes.
- (8) The powers conferred by sections 109B and 109C above shall have effect in the case of an individual who is an authorised officer by virtue of this section as if those sections had effect—
- (a) with the substitution for every reference to the purposes mentioned in section 109A(2) above of a reference to the purposes mentioned in subsection (2) above; and
 - (b) with the substitution for every reference to the relevant social security legislation of a reference to so much of it as relates to housing benefit or council tax benefit.
- (9) Nothing in this section conferring any power on an authorised officer in relation to housing benefit or council tax benefit shall require that power to be exercised only in relation to cases in which the authority administering the benefit is the authority by whom that officer's authorisation was granted.”]

Textual Amendments

F1 Sch. 6 para. 3 repealed (1.4.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\), s. 150\(3\), Sch. 14 Pt. 1](#); S.I. 2013/358, art. 8(c), Sch. 4 (with arts. 910Sch. 5)

Marginal Citations

M1 1989 c. 42.

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

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

- s. 70A inserted by [2012 c. 5 Sch. 3 para. 13](#)
- Sch. 7 para. 1(2)(c) inserted by [2007 c. 5 Sch. 5 para. 13](#)
- Sch. 7 para. 6(5A)(5B) inserted by [2012 c. 5 Sch. 11 para. 13\(3\)](#)
- Sch. 7 para. 6(8)(b) inserted by [2012 c. 5 Sch. 11 para. 13\(4\)\(b\)](#)
- Sch. 7 para. 6(8)(a) words in Sch. 7 para. 6(8) renumbered as Sch. 7 para. 6(8)(a) by [2012 c. 5 Sch. 11 para. 13\(4\)\(a\)](#)

Commencement Orders yet to be applied to the Child Support, Pensions and Social Security Act 2000

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2003/346 art. 2](#) amendment to earlier commencing [SI 2003/192 art. 6](#)