



# Child Support, Pensions and Social Security Act 2000

## 2000 CHAPTER 19

### PART III

#### SOCIAL SECURITY

##### *Housing benefit and council tax benefit etc.*

#### **70 Grants towards cost of discretionary housing payments.**

- (1) The Secretary of State may, out of money provided by Parliament, make to a relevant authority such payments as he thinks fit in respect of—
  - (a) the cost to that authority of the making of discretionary housing payments; and
  - (b) the expenses involved in the administration by that authority of any scheme for the making of discretionary housing payments.
- (2) The following provisions, namely—
  - (a) subsections (1), (3), (4), (5)(b) <sup>F1</sup> . . . and (8) of section 140B of the <sup>M1</sup> Social Security Administration Act 1992 (calculation of amount of subsidy payable to authorities administering housing benefit or council tax benefit), and
  - (b) section 140C of that Act (payment of subsidy),shall apply in relation to payments under this section as they apply in relation to subsidy under section 140A of that Act.
- (3) The Secretary of State may by order make provision—
  - (a) imposing a limit on the total amount of expenditure in any year that may be incurred by a relevant authority in making discretionary housing payments;
  - (b) imposing subsidiary limits on the expenditure that may be incurred in any year by a relevant authority in making discretionary housing payments in the circumstances specified in the order.

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**Changes to legislation:** Child Support, Pensions and Social Security Act 2000, Section 70 is up to date with all changes known to be in force on or before 27 October 2023. 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

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- (4) An order imposing a limit by virtue of subsection (3)(a) or (b) may fix that limit either by specifying the amount of the limit or by providing for the means by which it is to be determined.
- (5) An order under this section shall be made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) Subsections (4) to (6) of section 189 of the <sup>M2</sup>Social Security Administration Act 1992 (supplemental and incidental powers etc.) shall apply in relation to any power to make an order under this section as they apply in relation to the powers to make an order that are conferred by that Act.
- (7) Any power to make an order under this section shall include power to make different provision for different areas or different relevant authorities.
- (8) In this section—
- “discretionary housing payment” means any payment made by virtue of regulations under section 69;
- “relevant authority” means an authority administering housing benefit or council tax benefit;
- “subsidy” has the same meaning as in sections 140A to 140G of the <sup>M3</sup>Social Security Administration Act 1992;
- “year” means a financial year within the meaning of the <sup>M4</sup>Local Government Finance Act 1992.

#### Textual Amendments

- F1** Words in s. 70(2)(a) repealed (18.11.2003) by Local Government Act 2003 (c. 26), ss. 127(2), 128, Sch. 8 Pt. 1; S.I. 2003/2938, art. 2(g)(h)(v)

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

- C1** S. 70(3)(a): transfer of functions (6.11.2014) by The Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2014 (S.I. 2014/2918), arts. 1(1), 2(1) (with arts. 2(2), 5)
- C2** S. 70(5) excluded (6.11.2014) by The Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2014 (S.I. 2014/2918), arts. 1(1), 4(1)

#### Commencement Information

- I1** S. 70 wholly in force at 2.7.2001; s. 70 not in force at Royal Assent see s. 86(2); s. 70 in force for certain purposes at 26.6.2001 and for all other purposes at 2.7.2001 by S.I. 2000/2295, art. 2(c)

#### Marginal Citations

- M1** 1992 c. 5.
- M2** 1992 c. 5.
- M3** 1992 c. 5.
- M4** 1992 c. 14.

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 70(1) word inserted by [2012 c. 5 Sch. 3 para. 12\(2\)](#)
- s. 70(2) substituted by [2012 c. 5 Sch. 3 para. 12\(3\)](#)
- s. 70(8) words repealed by [2012 c. 5 Sch. 3 para. 12\(4\)\(b\)](#)
- s. 70(8) words substituted by [2012 c. 5 Sch. 3 para. 12\(4\)\(a\)](#)

**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