
STATUTORY INSTRUMENTS

1997 No. 1974

SOCIAL SECURITY

**The Housing Benefit (General)
Amendment (No. 2) Regulations 1997**

<i>Made</i>	- - - -	<i>8th August 1997</i>
<i>Laid before Parliament</i>		<i>11th August 1997</i>
<i>Coming into force</i>	- -	<i>18th August 1997</i>

The Secretary of State for Social Security, in exercise of powers conferred upon her by sections 123(1)(d), 130(2), 137(1) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(1), and of all other powers enabling her in that behalf, after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(2), and after consulting with organisations appearing to her to be representative of the authorities concerned(3), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Housing Benefit (General) Amendment (No. 2) Regulations 1997 and shall come into force on 18th August 1997.

(2) In these Regulations “the principal Regulations” means the Housing Benefit (General) Regulations 1987(4) and expressions used in these Regulations and in the principal Regulations shall have, unless the context otherwise requires, the same meaning in these Regulations as they have in the principal Regulations.

Amendment of Schedule 1 to the principal Regulations

- 2.—(1) In sub-paragraph (f) of paragraph 1 of Schedule 1 to the principal Regulations—
- (a) in head (ii) after the words “the terms of this head” there shall be added the words “or head (iii) below”;
 - (b) at the end of head (ii) there shall be added the following—
“or

(1) 1992 c. 4; section 137(1) is an interpretation provision and is cited because of the meaning there ascribed to “prescribed”.
(2) See section 173(1)(b) of the Social Security Administration Act 1992 (c. 5).
(3) See section 176(1) of the Social Security Administration Act 1992.
(4) S.I. 1987/1971; the relevant amending instrument is S.I. 1994/1003.

- (iii) are provided to a claimant in supported accommodation by his landlord in person or someone on his behalf, and payment of the charges in respect of those services is a condition on which the claimant's right to occupy the accommodation depends;”.

(2) In paragraph 7 of Schedule 1 to the principal Regulations there shall be added at the end the following definition—

““supported accommodation” means accommodation which was either occupied or available for occupation on 18th August 1997 and which was at that date and continues to be—

- (a) a resettlement place provided by persons to whom the Secretary of State has given assistance by way of grant pursuant to section 30 of the Jobseekers Act 1995(5) (grants for resettlement places); and for this purpose “resettlement place” shall have the same meaning as it has in that section;
- (b) accommodation provided by a housing authority, non-metropolitan county council in England within the meaning of section 1 of the Local Government Act 1972(6), registered social landlord, a charity, or voluntary organisation, or in Scotland a registered housing association or a recognised body, where care, support or supervision is provided by, or on behalf of, that body to the occupants of that accommodation; and for this purpose—

“registered social landlord” has the same meaning as in Part I of the Housing Act 1996(7);

“charity” means a charity which is registered under section 3 of the Charities Act 1993(8) and is not an exempt charity within the meaning of that Act;

“recognised body” has the same meaning as under section 1(7) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990(9); or

- (c) accommodation which is occupied by a person who falls under sub-paragraph (a) of paragraph 1 of regulation 10 of the Housing Benefit (General) Amendment Regulations 1995(10), where care, support or supervision is provided by, or on behalf of, the landlord to the occupants of that accommodation;

and for these purposes accommodation which would fall under any one of paragraphs (a) to (c) above but for the fact that it was not available for occupation on 18th August 1997 solely by reason of temporary closure due to refurbishment, cleansing, or pest control shall be treated as available for occupation on that date.”.

3. These Regulations shall cease to have effect on 31st October 1998.

(5) 1995 c. 18.
(6) 1972 c. 71.
(7) 1996 c. 52.
(8) 1993 c. 10.
(9) 1990 c. 40.
(10) S.I. 1995/1644.

Signed by authority of the Secretary of State for Social Security.

8th August 1997

Frank Field
Minister of State,
Department of Social Security

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Housing Benefit (General) Regulations 1987 (S.I.1987/1971) (“the Principal Regulations”).

Regulation 2 amends Schedule 1 to the Principal Regulations so as to make service charges for general counselling and support eligible for housing benefit where the claimant occupies supported accommodation (as defined).

Regulation 3 provides that these Regulations shall cease to have effect on 31st October 1998.

These Regulations do not impose a charge on businesses.