
STATUTORY INSTRUMENTS

2000 No. 4

**The Housing Benefit and Council Tax Benefit
(General) Amendment Regulations 2000**

Addition of regulations 12B to 12D to the Housing Benefit Regulations

7. After regulation 12A of the Housing Benefit Regulations at the end of Part III there shall be inserted the following regulations—

“Applications to the rent officer for redeterminations

12B.—(1) Subject to paragraph (2) and regulation 12C, where an appropriate authority has obtained from a rent officer either or both of the following—

- (a) a determination on a reference made under regulation 12A (requirement to refer to rent officers);
- (b) a redetermination on a reference made under regulation 79(4A) (review of determinations),

the authority may apply to the rent officer for a redetermination of any determination or redetermination he has made which has effect at the date of the application.

(2) No application shall be made for a further redetermination of a redetermination made in response to an application under paragraph (1).

Substitute determinations or substitute redeterminations

12C.—(1) In a case where either—

- (a) the appropriate authority discovers that an application it has made to the rent officer contained an error in respect of any of the following—
 - (i) the size of the dwelling;
 - (ii) the number of occupiers;
 - (iii) the composition of the household;
 - (iv) the terms of the tenancy; or
- (b) the rent officer has, in accordance with article 7A of the Rent Officers Order, notified an appropriate authority of an error he has made (other than in the application of his professional judgement),

the authority shall apply to the rent officer for a substitute determination or substitute redetermination as the case may be.

(2) In its application to the rent officer the appropriate authority shall state the nature of the error and withdraw any previous application relating to the same case for a redetermination, or substitute determination or substitute redetermination which it has made but to which the rent officer has not yet responded.

Status: This is the original version (as it was originally made).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

Application of provisions to substitute determinations or substitute redeterminations

12D. Regulations 12B and 12C and 79(4A) and (4B) apply to a substitute determination or substitute redetermination as they apply to the determination or redetermination it replaces.”.