
STATUTORY INSTRUMENTS

2000 No. 4

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

Amendment of regulation 79 of the Housing Benefit Regulations

9. In regulation 79 of the Housing Benefit Regulations (review of determinations)–
- (a) in paragraph (4A)(1)–
 - (i) at the beginning there shall be inserted the words “Subject to paragraphs (4B) and (4C),”;
 - (ii) for the words “request the rent officer to make” there shall be substituted the words “apply to the rent officer for”; and
 - (iii) in sub-paragraphs (a) and (b) of paragraph (4A) for the word “request” there shall be substituted the word “application”;
 - (b) after paragraph (4A) there shall be inserted the following paragraphs–
 - “(4B) Except where paragraph (4C) applies, an appropriate authority, in relation to any determination by a rent officer of an application made under regulation 12A(1) (requirement to refer to rent officers), shall not apply for a redetermination under paragraph (4A) more than once in respect of an individual claimant’s dwelling to which that determination relates.
 - (4C) Paragraph (4A) shall operate so as to require an appropriate authority to make a second application where the following conditions are met in addition to those imposed by that paragraph–
 - (a) the written representations made under paragraph (2) relate to a redetermination by a rent officer made in response to an application by the appropriate authority under regulation 12B;
 - (b) at the time of that application the rent officer had already provided a redetermination under this regulation of a determination made in response to an application under regulation 12A(1); and
 - (c) both the application under this regulation referred to in sub-paragraph (b) and the second application for which this paragraph provides relate to the same claimant.”; and
 - (c) in paragraph (5B) after the word “redetermination” wherever it appears there shall be inserted the words “or substitute determination or substitute redetermination”.