
STATUTORY INSTRUMENTS

2003 No. 478

HOUSING

The Rent Officers (Housing Benefit Functions) Amendment Order 2003

Made - - - - *3rd March 2003*
Laid before Parliament *7th March 2003*
Coming into force in accordance with article 1(1)

The Secretary of State for Work and Pensions, in exercise of the powers conferred by section 122(1) and (6) of the Housing Act 1996⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Rent Officers (Housing Benefit Functions) Amendment Order 2003 and shall come into force —

- (a) in relation to any case where rent is payable at intervals of a whole number of weeks, on 7th April 2003; and
- (b) in relation to any other case, on 1st April 2003.

(2) In this Order —

“the Order” means the Rent Officers (Housing Benefit Functions) Order 1997⁽²⁾;

“the Scotland Order” means the Rent Officers (Housing Benefit Functions) (Scotland) Order 1997⁽³⁾.

Amendment of the Order

2.—(1) Schedule 1 to the Order (determinations by rent officers for the purposes of housing benefit) shall be amended in accordance with the following paragraphs.

(2) In paragraph 4(3) (local reference rents – exclusion of rent attributable to provision of services) paragraph (c) and the word “and” which immediately precedes it shall be omitted.

(3) In paragraph 7 (ineligible charges and support charges) —

(1) 1996 c. 52.

(2) S.I.1997/1984, amended by S.I.2000/1, 2001/1325, 2317 and 3561.

(3) S.I.1997/1995, amended by S.I.2000/3, 2001/1326, 2318 and 3561.

- (a) in sub-paragraph (1) —
 - (i) in paragraph (a), head (i) and the word “and” which immediately follows it shall be omitted, and
 - (ii) paragraph (b) and the word “and” which immediately precedes it shall be omitted;
- (b) in sub-paragraph (2), paragraph (b) and the word “and” which immediately precedes it shall be omitted.
- (4) In paragraph 11(4) (indicative rent levels – exclusion of rent attributable to provision of services) paragraph (c) and the word “and” which immediately precedes it shall be omitted.

Amendment of the Scotland Order

3.—(1) Schedule 1 to the Scotland Order (determinations by rent officers for the purposes of housing benefit) shall be amended in accordance with the following paragraphs.

(2) In paragraph 4(3) (local reference rents – exclusion of rent attributable to provision of services) paragraph (c) and the word “and” which immediately precedes it shall be omitted.

(3) In paragraph 7 (ineligible charges and support charges) —

- (a) in sub-paragraph (1) —
 - (i) in paragraph (a), head (i) and the word “and” which immediately follows it shall be omitted, and
 - (ii) paragraph (b) and the word “and” which immediately precedes it shall be omitted;
- (b) in sub-paragraph (2), paragraph (b) and the word “and” which immediately precedes it shall be omitted.
- (4) In paragraph 11(4) indicative rent levels – exclusion of rent attributable to provision of services) paragraph (c) and the word “and” which immediately precedes it shall be omitted.

Signed by authority of the Secretary of State for Work and Pensions.

3rd March 2003

Malcolm Wicks
Parliamentary Under-Secretary of State,
Department for Work and Pensions

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes further amendments to the Rent Officers (Housing Benefit Functions) Order 1997 and the Rent Officers (Housing Benefit Functions) (Scotland) Order 1997 in consequence of changes to the Housing Benefit (General) Regulations 1987 which will take effect on 1st and 7th April 2003 as a result of the Housing Benefit (General) Amendment (No.3) Regulations 1999 ([S.I.1999/2734](#)) ceasing to have effect and incidental amendments made by the Housing Benefit (General) Amendment Regulations 2003 ([S.I.2003/363](#)). The changes are concerned with the ineligibility of charges for the provision of certain services to be included as housing costs when determining entitlement to housing benefit.

This Order does not impose any costs on business.