

---

STATUTORY INSTRUMENTS

---

**2007 No. 2868**

**The Housing Benefit (Local Housing Allowance and Information Sharing) Amendment Regulations 2007**

**Citation and commencement**

1.—(1) These Regulations may be cited as the Housing Benefit (Local Housing Allowance and Information Sharing) Amendment Regulations 2007.

(2) This regulation and regulations 2 (amendment of the Housing Benefit Regulations 2006(1)) and 3 (amendments relating to information sharing) shall come into force on 7th April 2008.

(3) Subject to paragraph (6) (which relates to non-local housing allowance cases), regulations 4 to 19 (amendment of the Housing Benefit Regulations 2006 relating to determination of appropriate maximum housing benefit) shall come into force on 7th April 2008 immediately following the coming into force of regulation 3.

(4) Regulation 20 (substitution of Part 15 of and Schedule 10 to the Housing Benefit Regulations 2006 in relation to former pathfinder authorities) shall come into force immediately following the coming into force of regulations 4 to 19 and in this paragraph “former pathfinder authorities” means those relevant authorities specified in Part 1 of Schedule 10 of the Housing Benefit Regulations.

(5) This paragraph applies to a case where no reference was made to a maximum rent (standard local rate) in determining the amount of the eligible rent which applied immediately before 7th April 2008 and in this paragraph—

“eligible rent” shall be construed in accordance with—

- (i) regulations 12 or 12A(2) of the Housing Benefit Regulations 2006 as in force immediately before 7th April 2008; or
- (ii) in a case to which paragraph 4 of Schedule 3 to the Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006(3) applies, regulations 12 and 13 of those Regulations as set out in paragraph 5 of that Schedule as in force immediately before 7th April 2008; and

“maximum rent (standard local rate)” means a maximum rent (standard local rate) determined in accordance with regulation 13A(4) of the Housing Benefit Regulations 2006 as in force immediately before 7th April 2008.

(6) In a case to which paragraph (5) applies regulations 4 to 19 shall come into force on the day when, on or after 7th April 2008, the first of the following sub-paragraphs applies—

- (a) a relevant authority is required to apply to a rent officer by virtue of regulation 14 of the Housing Benefit Regulations;

---

(1) [S.I. 2006/213](#).

(2) Regulation 12A was inserted into the Housing Benefit Regulations 2006, as they applied to pathfinder authorities, by regulation 122 of and Schedule 10 to those Regulations.

(3) [S.I. 2006/217](#); the relevant amending instrument is [2007/2870](#).

(4) Regulation 13A was inserted into the Housing Benefit Regulations 2006, as they applied to pathfinder authorities, by regulation 122 and Schedule 10 of those Regulations.

- (b) sub-paragraph (a) would apply but for the case falling within regulation 14(4)(a) of, or 14(4)(b) of and paragraph 2 of Schedule 2 to, the Housing Benefit Regulations (no application to rent officer required as an existing rent officer determination may be used);
- (c) a relevant authority is required to determine an eligible rent in accordance with regulation 12(3)(b) of the Housing Benefit Regulations; or
- (d) a relevant authority is required to determine an eligible rent in accordance with regulation 12(3) of the Housing Benefit Regulations 2006 as set out in paragraph 5 of Schedule 3 to the Consequential Provisions Regulations,

and in this paragraph “relevant authority” means an authority administering housing benefit.

(7) Where paragraph (6) does not apply before 6th April 2009, regulations 4 to 19 shall come into force on that date.

(8) In this regulation—

- (a) “the Housing Benefit Regulations” means the Housing Benefit Regulations 2006 as in force immediately before the coming into force of regulations 4 to 19 in that case; and
- (b) “the Consequential Provisions Regulations” means the Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006 as in force immediately before the coming into force of regulations 4 to 19 in that case.