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STATUTORY INSTRUMENTS

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**2016 No. 909**

**SOCIAL SECURITY**

**The Benefit Cap (Housing Benefit and Universal Credit) (Amendment) Regulations 2016**

*Made* - - - - *12th September 2016*  
*Laid before Parliament* *15th September 2016*  
*Coming into force* - - *7th November 2016*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 96(1), (4)(a), (c) and (g), (5), (5B) and (10) and 97(1) of the Welfare Reform Act 2012<sup>(1)</sup> and section 34 of the Welfare Reform and Work Act 2016<sup>(2)</sup>.

The Social Security Advisory Committee has agreed that proposals in respect of regulations 2(2) and (4) and 3(3) and (6), and regulations 1, 2(1) and 3(1) insofar as they relate to the foregoing provisions, should not be referred to it<sup>(3)</sup>.

The other provisions in this instrument have not been referred to the Social Security Advisory Committee because they are made before the end of the period of 6 months beginning with the coming into force of section 96(5) and (5B) of the Welfare Reform Act 2012<sup>(4)</sup> and section 34 of the Welfare Reform and Work Act 2016.

In respect of regulations 2 and 4, and regulation 1 insofar as it relates to those regulations, in accordance with section 176(1) of the Social Security Administration Act 1992<sup>(5)</sup> the Secretary of State has consulted with organisations appearing to him to be representative of the authorities concerned.

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- (1) [2012 c.5](#). Section 96(5) was substituted and section 96(5B) was inserted by section 8(2) of the Welfare Reform and Work Act 2016 ([c.7](#)). Section 97(1) was amended by section 9 of the Welfare Reform and Work Act 2016. Subsection (10) is cited for the meaning of “prescribed” and “regulations”.
- (2) [2016 c.7](#).
- (3) See section 173(1)(b) of the Social Security Administration Act 1992 ([c.5](#)).
- (4) See section 173(5) of the Social Security Administration Act 1992. Section 96(5) was substituted and 96(5B) inserted by section 8(2) of the Welfare Reform and Work Act 2016. These regulations are made within six months of the coming into force of section 8(2).
- (5) [1992 c.5](#). Section 176(1) was amended by paragraph 23 of Schedule 9 to the Local Government Finance Act 1992 ([c.14](#)), paragraph 3(4) of Schedule 13 to the Housing Act 1996 ([c.52](#)) and section 69(6) of the Child Support, Pensions and Social Security Act 2000 ([c.19](#)).