

SCHEDULE 5

Article 7

Minor amendments to the Income-related Benefits (Subsidy to Authorities) Order 1998

1. In article 1(2), omit the definition of “relevant benefit”.
2. In article 2—
 - (a) omit the definition of “base data return”;
 - (b) in the definition of “claim” for “, final claim or a return pursuant to article 4(4)” substitute “or a final claim”;
 - (c) in the definition of “claim form” omit “or (4)”;
 - (d) in the definition of “HBAP”, for “27th March 2018” substitute “30th March 2020”;
3. In article 4(2), for “relevant benefit” substitute “housing benefit”.
4. In article 7(c), for “relevant benefit” substitute “housing benefit”.
5. In article 8(1)(a), for “, mid-year claim and the returns under article 4(4)” substitute “and mid-year claim”.
6. In article 11—
 - (a) in paragraph (1)—
 - (i) omit the definitions of “the Council Tax Benefit Regulations”, “the Council Tax Benefit (State Pension Credit) Regulations” and “period overrun”;
 - (ii) in the definition of “overpayment”, omit “excess benefit under the Council Tax Benefit Regulations as well as”;
 - (iii) in the definition of “scheme”, omit “or council tax benefit scheme, as the case may be,”;
 - (iv) in the full out words at the end, for “, the Housing Benefit (State Pension Credit) Regulations, the Council Tax Benefit Regulations or the Council Tax Benefit (State Pension Credit) Regulations” substitute “or the Housing Benefit (State Pension Credit) Regulations”;
 - (b) in paragraph (2), in the definition of “qualifying expenditure”—
 - (i) for “relevant benefit” in both places it occurs, substitute “housing benefit”;
 - (ii) in paragraph (c), for “sections 134(8) (arrangements for housing benefit) or 139(6) (arrangements for council tax benefit) of the Act, as the case may be” substitute “section 134(8) (arrangements for housing benefit) of the Act”;
 - (c) in paragraph (3), for “relevant benefit” substitute “housing benefit”.
7. In article 12(1)(b), (2) and (4), for “relevant benefit” substitute “housing benefit”.
- 8.—(1) Article 13 is amended as follows.
 - (2) For the heading substitute “Housing benefit”.
 - (3) In paragraph (1)—
 - (a) in sub-paragraph (a), for the words from “the aggregate of” to the end substitute “100 per cent. of its qualifying expenditure attributable to expenditure in respect of housing benefit”;
 - (b) in sub-paragraph (b)—
 - (i) at the end of head (i) insert “and”;
 - (ii) omit head (ii);

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(iii) in head (iii), omit “in respect of the relevant benefit”.

9. In article 14—

- (a) in paragraph (1), omit “; regulation 69(13) of the Council Tax Benefit Regulations or regulation 53(13) of the Council Tax Benefit (State Pension Credit) Regulations”;
- (b) omit paragraph (3).

10. In article 16, omit paragraph (4)(a).

11.—(1) Article 18 is amended as follows.

(2) In paragraph (1)—

- (a) in sub-paragraph (a), for “relevant benefit” substitute “housing benefit”;
- (b) in sub-paragraph (b)—
 - (i) in the opening words, for “relevant benefit” substitute “housing benefit”;
 - (ii) in head (i), omit “where the overpayment is overpayment of housing benefit”;
 - (iii) omit head (ii);
 - (iv) in head (iii), for “heads (i) or (ii) above apply” substitute “head (i) above applies”;
- (c) in sub-paragraph (e), for “relevant benefit” substitute “housing benefit”.

(3) In paragraph (4A), for sub-paragraph (a) substitute—

- “(a) is caused by the claimant, or a person acting on the claimant’s behalf under regulation 82 of the Housing Benefit Regulations (who may claim housing benefit), failing to provide information in accordance with regulation 83, 86 or 88 of, or paragraph 5 of Schedule A1 to, those Regulations (duties on claimant to provide information); and”.

(4) In paragraph (5)(b), for “relevant benefit” substitute “housing benefit”.

(5) In paragraph (6ZA)(b), omit “or, in the case of council tax benefit, is allowed”.

(6) In paragraph (6A), omit “and council tax benefit”.

(7) In paragraph (7), for the words from “—” to the end substitute “a rebate being awarded and entitlement to that rebate being reduced or eliminated because, subsequent to that award, the liability in respect of which the rebate was awarded was reduced or eliminated”.

(8) In paragraph (8)—

- (a) for “relevant benefit” substitute “housing benefit”;
- (b) for the words from “; paragraph (13)” to the end substitute “applies”.

12. In article 19(1)—

- (a) in sub-paragraph (g)—
 - (i) in the opening words, for “relevant benefit” substitute “housing benefit”;
 - (ii) in head (ii), for the words from “paragraph (15)” to “Council Tax Benefit (State Pension Credit) Regulations” substitute “paragraph (18) of regulation 59 of the Housing Benefit (Community Charge Rebates) (Scotland) Regulations 1988 or paragraph (12) of regulation 83 of the Housing Benefit Regulations”;
- (b) in sub-paragraph (h), for “relevant benefit” substitute “housing benefit”.

13. In article 20, for “any relevant benefit” substitute “housing benefit”.

14. In Schedule 4, in both paragraphs 7(b) and 8(b) omit—

- (a) “the aggregate of”; and
- (b) the words from “and those service charges” to “(ineligible service charges)”.