STATUTORY INSTRUMENTS

1984 No. 104

HOUSING, ENGLAND AND WALES

HOUSING, SCOTLAND

RATING AND VALUATION

The Housing Benefits Amendment (No. 2) Regulations 1984

Made - - -	*6th February* 1984
Laid before Parliament	*6th February* 1984
Coming into Operation	*1st April* 1984

The Secretary of State for Social Services, in exercise of the powers conferred on him by section 28(1) and (2) of the Social Security and Housing Benefits Act 1982**(a)** and of all other powers enabling him in that behalf, with the consent of the Treasury, after consultation with organisations appearing to him to be representative of authorities concerned**(b)**, and after reference to the Social Security Advisory Committee**(c)**, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations, which may be cited as the Housing Benefits Amendment (No. 2) Regulations 1984, amend the Housing Benefits Regulations 1982**(d)** and shall come into operation on 1st April 1984.

(2) In these regulations, unless the context otherwise requires, a reference to a numbered regulation or Schedule is to the regulation in or Schedule to the Housing Benefits Regulations 1982 which bears that number.

Amendment of regulation 2

2.—(1) Regulation 2 (interpretation) is amended in accordance with the following paragraphs of this regulation.

(2) In paragraph (1)—

(*a*) after the definition of "beneficiary" there is inserted the following definition:—

" 'benefit day' is to be construed in accordance with regulation 26A(1);";

(**a**) 1982 c. 24.
(**b**) *See* section 36(1)(*a*) of the Social Security and Housing Benefits Act 1982.
(**c**) *See* sections 9(7) and 10(1) of the Social Security Act 1980 (c. 30); section 9(7) was amended by paragraph 30 of Schedule 4 to the Social Security and Housing Benefits Act 1982.
(**d**) S.I. 1982/1124; relevant amending instruments are S.I. 1982/1519, 1983/57, 1014 and 1984/103.

(*b*) in the definition of "boarder on supplementary benefit" for "regulation 9(9)(*b*)" there is substituted "regulation 9(13) and (14)";

(*c*) in the definition of "fuel" after "electricity" there is added "and a reference to a charge for, or an amount payable for, fuel includes a reference to a charge for, or, as the case may be, an amount payable for, the facility of providing it";

(*d*) in the definition of "qualifying supplementary benefit"—

(i) for "for the purposes of the Requirements Regulations is responsible for housing expenditure" there is substituted ", under regulation 14(3), (4), (5), (7) and (8) of the Requirements Regulations would be treated as responsible for, and be allowed an amount in respect of, housing benefit expenditure (as defined in regulation 2(1) of those regulations) if such expenditure were an item to which housing requirements related for the purposes of those regulations", and

(ii) for "regulation 19A" there is substituted "regulation 19";

(*e*) after the definition of "rent" there is inserted the following definition:— " 'rent-free period' means a period for which no rent is payable;"; and

(*f*) for the definition of "Requirements Regulations" there is substituted the following definition:—

" 'Requirements Regulations' means the Supplementary Benefit (Requirements) Regulations 1983**(a)**;".

(3) In paragraph (5)—

(*a*) for sub-paragraph (*a*) there is substituted the following sub-paragraph:—

"(*a*) any structure or space which is used for the purposes of an eligible person's dwelling where either—

(i) he acquired simultaneously the right to occupy the structure or space and the right to occupy the dwelling, and, in the case of a person liable to make payments of rent for his dwelling, he could not have rented that dwelling without the structure or space, or

(ii) he has made or is making all reasonable efforts to terminate his liability to make payments in respect of the structure or space;"; and

(*b*) after sub-paragraph (*c*) there is added the following sub-paragraph:—

"(*d*) where, in Scotland, the dwelling is situated on or pertains to a croft within the meaning of section 3(1) of the Crofters (Scotland) Act 1955**(b)**, the croft land on which it is situated or to which it pertains.".

(4) For paragraph (6) there is substituted the following paragraph:—

"(6) References in these regulations to 'weekly income', 'weekly

(a) S.I. 1983/1399.
(b) 1955 c. 21.

eligible rates' and 'weekly eligible rent' are to the weekly amounts which represent, respectively, income, eligible rates and eligible rent, as converted where appropriate in accordance with regulation 12A.".

Amendment of regulation 6

3. In regulation 6 (eligibility for rate rebate) for paragraph (2) there is substituted the following paragraph:—

"(2) Notwithstanding paragraph (1), but subject to regulation 8A, a boarder on supplementary benefit is not eligible for a rate rebate in respect of a dwelling at which he boards.".

Amendment of regulation 7

4. In regulation 7 (eligibility for rent rebate) for paragraph (3) there is substituted the following paragraph:—

"(3) Notwithstanding paragraph (1)—

(*a*) a crofter on supplementary benefit is not eligible for a rent rebate; and

(*b*) subject to regulation 8A, a boarder on supplementary benefit is not eligible for a rent rebate in respect of a dwelling at which he boards.".

Amendment of regulation 8

5. In regulation 8 (eligibility for rent allowance) for paragraph (3) there is substituted the following paragraph:—

"(3) Notwithstanding paragraph (1)—

(*a*) a crofter on supplementary benefit is not eligible for a rent allowance; and

(*b*) subject to regulation 8A, a boarder on supplementary benefit is not eligible for a rent allowance in respect of a dwelling at which he boards.".

Amendment of regulation 8A

6. In regulation 8A (limited eligibility for boarders on supplementary benefit) paragraph (2) is omitted.

Amendment of regulation 9

7. In regulation 9 (persons on supplementary benefit)—

(*a*) in paragraph (3A) for "Schedule 2" there is substituted "Schedule 3"; and

(*b*) for paragraph (6) there is substituted the following paragraph:—

"(6) In paragraph (1) 'ineligible person' means, in respect of a dwelling, a person who—

(*a*) in relation to a rate rebate for that dwelling would not be eligible under regulation 6 by virtue of regulation 6(2);

(*b*) in relation to a rent rebate for that dwelling would not be eligible under regulation 7 by virtue of regulation 7(2) or (3);

(*c*) in relation to a rent allowance for that dwelling would not be eligible under regulation 8 by virtue of regulation 8(2) or (3);

(*d*) in relation to any housing benefit for that dwelling a person to whom regulation 8A applies.".

New regulation 12A

8. After regulation 12 there is inserted the following regulation:—

"*Conversion to weekly amounts*

12A.—(1) Any amount which is payable or calculated otherwise than weekly or which, though normally payable weekly, is not payable in every week of the year shall be converted for the purposes of these regulations into the weekly sum which represents it, and in a case to which paragraph (2) or (3) applies shall be converted in accordance with such of those paragraphs as is applicable.

(2) For the purposes of calculating weekly eligible rent where there is a rent-free period in a year, the aggregate amount of rent payable in a year shall be divided by 52 or by 53, whichever the appropriate authority considers reasonable in the circumstances.

(3) For the purposes of calculating weekly eligible rates where there is a rent-free period in a year and payments by way of rates are made together with rent, paragraph (2) shall apply to the payments by way of rates as it applies to the rent.".

Amendment of regulation 15

9. In regulation 15 (eligible rates)—

(*a*) in paragraph (2) the words "during the benefit period" and "in relation to that period" are omitted;

(*b*) in paragraph (3) for the misspelt word "paymemts" there is substituted "payments" and the words "during the benefit period" are omitted; and

(*c*) paragraph (6) (irregular collection) and paragraph (8) (payments outside the benefit period) are omitted.

Amendment of regulation 16

10. In regulation 16 (eligible rent)—

(*a*) in paragraph (2) the words "during the benefit period" are omitted;

(*b*) after paragraph (4) there is inserted the following paragraph:—

"(4A) Where a single payment has been made to a person or his partner under regulation 21A of the Supplementary Benefit (Single Payments) Regulations 1981(**a**) (rent in advance) the

(**a**) S.I. 1981/1528; the relevant amending instrument is S.I. 1982/914.

eligible rent for the dwelling in respect of which it was made shall be abated by the amount of the single payment.";

(*c*) in paragraph (5) for "the eligible rent" there is substituted "and the rent recoverable from a person is limited to the rent so registered, his eligible rent"; and

(*d*) paragraph (6) (maximum eligible rent for almshouses), paragraph (8) (irregular collection) and paragraph (10) (payments outside the benefit period) are omitted.

Amendment of regulation 17

11.—(1) Regulation 17 (unsuitable accommodation) is amended in accordance with the following paragraphs of this regulation.

(2) In paragraph (1)—

(*a*) in sub-paragraph (*b*)—

(i) in head (i) for "similar dwellings occupied under comparable terms" there is substituted "suitable alternative accommodation", and

(ii) in head (ii) the word "that" is omitted and for "such similar dwellings so occupied" there is substituted "suitable alternative accommodation in that authority's area"; and

(*b*) in sub-paragraph (*c*) for "similar dwellings occupied under comparable terms" there is substituted "suitable alternative accommodation".

(3) After paragraph (3) there is added the following paragraph:—

"(4) In relation to a dwelling occupied with security of tenure, other accommodation shall not be treated as suitable alternative accommodation for the purposes of this regulation unless that accommodation will be occupied on terms which will afford security of tenure reasonably equivalent to that under which that dwelling is occupied.".

Amendment of regulation 18

12. In Regulation 18 (deductions for non-dependants):—

(*a*) in paragraph (4) for "made only in respect of one eligible person, being such one as the appropriate authority may determine" there is substituted "apportioned having regard to all the circumstances, in particular the number of eligible persons and the proportion of rates or, as the case may be, rent paid by each such person";

(*b*) after paragraph (5) there are inserted the following paragraphs:—

"(5A) Where in a case other than a certificated case—

(*a*) the eligible person or his partner is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948(a), no deduction shall be made in respect of any non-dependant of that person;

(a) 1948 c. 29.

(*b*) the eligible person or his partner is a handicapped person and a non-dependant of the eligible person provides assistance with domestic tasks which neither the eligible person nor his partner is able to perform, no deduction shall be made in respect of that non-dependant unless that non-dependant is a parent, son, daughter, step-son, step-daughter, brother or sister of the eligible person or his partner.

(5B) No deduction shall be made in respect of a non-dependant who is in receipt of a training allowance paid by the Manpower Services Commission in connection with a Youth Training Scheme established under section 2 of the Employment and Training Act 1973 **(a)**."; and

(*c*) in paragraph (7) at the end there is added "; and in paragraph (5A) 'handicapped person' has the meaning assigned to it by regulation 13(4)".

Amendment of regulation 19

13. In regulation 19 (calculation of benefit)—

(*a*) in paragraph (1) before "amount" there is inserted "weekly" and the words "for each week" are omitted.

(*b*) in paragraph (4) before "amount" there is inserted "weekly" and the words "each week" are omitted;

(*c*) in paragraph (5) before "amount", where it first occurs, there is inserted "weekly" and the words "each week" are omitted; and

(*d*) in paragraph (6) before "amount", where it first occurs, there is inserted "weekly" and the words "each week" are omitted; and

(*e*) after paragraph (6) there is inserted the following paragraph:—

"(6A) Where a person has a rent-free period,—

(*a*) the amount of rent rebate or rent allowance to which he is entitled; and

(*b*) if sums by way of rates are payable together with his rent, the amount of rate rebate to which he is entitled,

is the amount ascertained under the preceding paragraphs of this regulation multiplied by 52 or by 53 (being that by which the rent is divided under regulation 12A(2)) and divided by the number of weeks in a year for which rent is payable.".

Amendment of regulation 21

14. In regulation 21 (persons in receipt of supplementary benefit)—

(*a*) in paragraph (1)(*a*)—

(i) before "amount", where it first occurs, there is inserted "weekly",

(ii) the words "each week" are omitted, and

(a) 1973 c. 50.

(iii) for "paragraphs (2) to (4)" there is substituted "paragraphs (1A) to (3)";

(*b*) after paragraph (1) there is inserted the following paragraph:—

"(1A) Where a person has a rent-free period—

(*a*) the amount of rent rebate or rent allowance to which he is entitled; and

(*b*) if sums by way of rates are payable together with his rent, the amount of rate rebate to which he is entitled,

is the amount assessed under paragraph (1) multiplied by 52 or by 53 (being that by which the rent is divided under regulation 12A(2)) and divided by the number of weeks in a year for which rent is payable."; and

(*c*) paragraph (4) (single payments of supplementary benefit for rent in advance), paragraph (5) (irregular collection) and paragraph (6) (benefit period of less than seven days) are omitted.

Amendment of regulation 25

15. In regulation 25 (beginning of benefit period) after paragraph (3) there is inserted the following paragraph:—

"(3A) Where in a certificated case the eligible person was entitled to supplementary benefit for a period including the day before the date referred to in paragraph (1)(*b*), the appropriate authority may allow his benefit period to begin on a date which is six days or less earlier than that referred to in paragraph (1)(*b*).".

New regulation 26A

16. After regulation 26 there is inserted the following regulation:—

"*Days of entitlement to housing benefits*

26A.—(1) The appropriate authority shall determine the day of the week (in these regulations referred to as the 'benefit day') upon which an eligible person's entitlement to a housing benefit shall accrue in a benefit period, which may be any such day that it considers appropriate in the circumstances.

(2) Subject to paragraphs (3) and (4) a person shall be entitled to a weekly amount of a housing benefit on the first benefit day in a benefit period and to a weekly amount of that benefit on each subsequent benefit day within that period.

(3) There shall be no entitlement to any amount of rent rebate or rent allowance on a benefit day which falls within a rent-free period.

(4) In a case where sums by way of rates are payable together with rent, there shall be no entitlement to any amount of rate rebate on a benefit day which falls within a rent-free period.".

Amendment of regulation 28

17. In regulation 28(1) (procedure following a claim for a housing benefit)—

(*a*) in sub-paragraph (*a*) after "entitled", there is inserted "his benefit day"; and

(*b*) in sub-paragraph (*b*) after "eligible rent," there is inserted "determine his benefit day".

Amendment of regulations 30 and 31

18. In regulation 30 (changes leading to lesser amounts of benefit) and in regulation 31 (changes leading to greater amounts of benefit) in paragraphs (1)(*b*) and (2)(*b*) of each of those regulations for "the week in which" there is substituted in each case "benefit day within the period beginning with the sixth day before, and ending with the sixth day after,".

New regulation 32A and amendment of regulation 33

19.—(1) After regulation 32 there is inserted the following regulation:—

"*Changes in regulations*

32A. If an amendment is made to these regulations such as to affect the amount of any housing benefit to which a beneficiary is entitled, the appropriate authority shall make such alteration to the amount of that benefit as is necessary as a consequence of that amendment; and it shall make any such alteration with effect from the benefit day first occurring on or after the date on which that amendment comes into operation.".

(2) In regulation 33 (disregard of small amounts) for "regulations 30, 31 or 32" there is substituted "regulations 30, 31, 32 or 32A".

Substitution of regulation 37

20. For regulation 37 (frequency of payments of rent allowance) there is substituted the following regulation:—

"*Frequency of payments of rent allowance*

37.—(1) Subject to paragraphs (3) and (4), any rent allowance, other than a payment which is made in accordance with regulation 34(1)(*b*), 35 or 36, shall be paid at intervals of two weeks four weeks or one month or, with the consent of the beneficiary, at intervals of greater than one month.

(2) A payment of rent allowance pursuant to paragraph (1) shall be made at a time which is, so nearly as is reasonably practicable, two weeks before the end of the period in respect of which it is made, except that where the beneficiary pays rent in arrears the payment may be made at the end of that period.

(3) Where a beneficiary whose weekly entitlement to a rent allowance exceeds £2 requires the local authority to pay his rent allowance at intervals of two weeks, that allowance shall be so paid.

(4) A local authority may pay a beneficiary's rent allowance at weekly intervals where either—

(*a*) it considers that unless his rent allowance is paid weekly an overpayment is likely to result; or

(*b*) he is liable to pay rent weekly and it considers that it is in his interests that his rent allowance should be paid weekly.".

Amendment of regulation 39

21. In regulation 39 (persons to whom benefit may or shall be paid)—

(*a*) in paragraph (1) for "paragraph (2)" there is substituted "paragraphs (2) and (3)";

(*b*) in paragraph (2)(*b*) the words "is a tenant" to "Rent (Scotland) Act 1971 and" are omitted; and

(*c*) after paragraph (2) there is added the following paragraph:—

"(3) Where a person is for the time being appointed—

(*a*) pursuant to regulations made under section 81(4) of the Social Security Act 1975**(a)** to receive sums payable under that Act to another person; or

(*b*) pursuant to regulations made under section 14(2) of the Supplementary Benefits Act 1976**(b)** to receive sums payable under that Act to another person,

the appropriate authority may pay any housing benefit to which that other person is entitled to the person so appointed if the person so appointed so requests.".

Substitution of regulation 41

22. For regulation 41 there is substituted the following regulation:—

"*Restriction on recovery in certificated cases*

41.—(1) Subject to paragraph (2), an overpayment made in a certificated case shall be recoverable only if it was made as a result of either—

(*a*) a misrepresentation (whether fraudulent or otherwise) made by any person as to a material fact; or

(*b*) a failure by any person to disclose a material fact.

(2) Notwithstanding paragraph (1), an overpayment made in a certificated case shall be recoverable to the extent that it arises because—

(*a*) an amount is paid to a person before the benefit day on which entitlement to that amount accrues; and

(*b*) (i) his benefit period ends before that benefit day, or

(ii) there is a change of circumstances between the date on which that

(a) 1975 c. 14; *see* regulation 28 of the Social Security (Claims and Payments) Regulations 1979 (S.I. 1979/628, amended by S.I. 1980/1621).
(b) 1976 c. 71, amended by the Social Security Act 1980 (c. 30), Schedule 2; *see* regulation 26 of the Supplementary Benefit (Claims and Payments) Regulations 1981 (S.I. 1981/1525).

amount is paid and that benefit day such as to reduce his entitlement on that day.".

Amendment of regulation 42

23. In regulation 42 (recovery by authorities) in paragraph (1)(*b*) after "in a certificated case," there is inserted "where the overpayment is recoverable by virtue of paragraph (2) of regulation 41 or".

Amendment of regulation 47

24. In regulation 47 (further review of determinations) there is added after paragraph (3) the following paragraph:—

"(4) An authority may provide a review board appointed by it with such staff and such accommodation, services and other facilities as appear to the authority to be necessary or expedient for the proper performance of the functions of the review board.".

Amendment of regulation 49

25. In regulation 49 (determinations on further review) after paragraph (1) there is inserted the following paragraph:—

"(1A) In reaching its decision the review board shall apply the provisions of these regulations as though any duty thereby imposed upon, or power or discretion thereby conferred upon, an authority were imposed upon or conferred upon the review board.".

New regulation 50A

26. After regulation 50 there is inserted the following regulation:—

"*Revision of determinations*

50A.—(1) An authority may revise a determination which it has made—

(*a*) if it is satisfied that it was made in ignorance of, or was based on a mistake as to, a material fact;

(*b*) except where a decision has been made by a review board in relation to the determination, if it is satisfied that it was based on a mistake as to the law.

(2) Subject to paragraph (3), where a determination is revised the determination as revised shall have effect as though it were made on the date of the original determination.

(3) No revision of a determination shall increase the amount of a housing benefit to which a person is entitled in respect of a period falling more than 52 weeks before the actual date on which the determination is revised.

(4) Regulations 45 to 50 shall apply to the revision of a determination as they apply to a determination, but shall not apply to a decision not to revise a determination.".

Amendment of Schedule 2

27.—(1) Schedule 2 (amounts disregarded when ascertaining weekly income for any housing benefit) is amended in accordance with the following paragraphs of this regulation.

(2) After paragraph 7 there is inserted the following paragraph:—

"7A. Any mobility supplement under Article 26A of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983**(a)** (including such a supplement under that Order by virtue of any other Scheme or Order) or under Article 25A of the Personal Injuries (Civilians) Scheme 1983**(b)**.".

(3) In paragraph 10 (certain pensions and allowances)—

(*a*) in sub-paragraph (*a*) after "pension" there is added "other than a supplement mentioned in paragraph 7A"; and

(*b*) for sub-paragraph (*h*) there are substituted the following sub-paragraphs:—

"(*h*) a pension paid for disablement in respect of a person's service as a policeman or fireman;

(*hh*) a widow's special pension under—

(i) regulation 28 or 29 of the Police Pensions Regulations 1973 **(c)**, or

(ii) article 23 or 24 or the Firemen's Pension Scheme 1973**(d)**;".

(4) In paragraph 12 (grant-aided students) for "Schedule 2" there is substituted "Schedule 1".

(5) In paragraph 14(*b*) (allowance from Manpower Services Commission) for "lodging allowance", in each place where it occurs, there is substituted "living away from home allowance".

(6) In paragraph 15 (parental contributions assessed for the purposes of educational awards)—

(*a*) for "grant-aided student which" there is substituted "student attending a course at an establishment in the United Kingdom or undergoing education in the United Kingdom, which contribution"; and

(*b*) in sub-paragraph (*c*) after "that section", there is inserted "or under regulations made in exercise of the powers conferred by section 73 of that Act of 1980, any payment to that student under that section,".

(7) In paragraph 16 (other contributions towards maintenance of certain students)—

(*a*) in sub-paragraph (*b*), after "Education (Scotland) Act 1980" there is inserted "or a payment under section 73 of that Act of 1980"; and

(a) S.I. 1983/883, amended by S.I. 1983/1116 and 1521.
(b) S.I. 1983/686, amended by S.I. 1983/1164 and 1540.
(c) S.I. 1973/428.
(d) *See* Appendix 2 to the Firemen's Pension Scheme Order 1973 (S.I. 1973/966).

(*b*) in sub-paragraph (*ab*) after "award" there is inserted ", bursary, scholarship, allowance or payment".

(8) In paragraph 18 (National Savings Certificates) for "Interest on" there is substituted "Income from".

Amendment of Schedule 3

28. In Schedule 3 (deductions for charges for fuel, services and rent)—

(*a*) paragraph 4A is omitted; and

(*b*) for paragraph 5 there is substituted the following paragraph:—

"5. Where the appropriate authority considers that the heating for which a charge is included in the rent for a dwelling is not adequate for that dwelling, there shall be deducted for the charge such lesser amount than would otherwise be deducted under paragraph 3 or 4 as the appropriate authority considers reasonable in the circumstances; and in determining whether or not heating is adequate for the purposes of this paragraph, an authority shall leave out of account any special need for heating which it considers arises from the personal circumstances of any person occupying the dwelling.".

Signed by authority of the Secretary of State for Social Services.

Rhodes Boyson,
Minister of State,
Department of Health and
Social Security.

4th February 1984.

We consent,

Alastair Goodlad,
Donald Thompson,
Two of the Lords Commissioners
of Her Majesty's Treasury.

6th February 1984.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Housing Benefits Regulations 1982 ("the 1982 regulations") which contain the statutory schemes for the granting of rate rebates, rent rebates and rent allowances (collectively called "housing benefits"). Changes of substance to the 1982 regulations made by these regulations are—

(*a*) to provide that a boarder receiving supplementary benefit is ineligible for housing benefits only in respect of the dwelling at which he boards, rather than generally (regulations 3, 4, 5 and 6);

(*b*) to make fresh provision for the conversion to weekly amounts of amounts payable otherwise than weekly (regulation 2(4) and 8);

(*c*) to provide that deductions in respect of single payments of supplementary benefit for rent in advance, made when calculating a person's entitlement to rent rebate or allowance, may be made even though that person is no longer receiving supplementary benefit (regulation 10(*b*));

(*d*) to remove a provision imposing a maximum eligible rent for those living in almshouses (regulation 10(*d*));

(*e*) to provide that for the purposes of considering whether a person's rates are or rent is unreasonably high and should be treated as reduced for the purposes of housing benefits, the comparison is to be made with suitable alternative accommodation rather than similar dwellings occupied under comparable terms (regulation 11);

(*f*) to alter the provisions for deducting amounts from a person's housing benefit where he has non-dependent persons living in his home, by providing for apportionment of the deduction in some cases, for no deduction to be made for a non-dependant receiving a youth training allowance, and by extending to claimants not receiving supplementary benefit provision for no deduction to be made for non-dependants who are blind or providing domestic assistance (regulation 12);

(*g*) to enable housing benefits to be paid to certain claimants who were receiving supplementary benefit before becoming householders, for a period up to 6 days before they became householders (regulation 15);

(*h*) to provide for entitlement to housing benefits to fall due on a particular day of the week (regulation 16);

(*i*) to make fresh provision for the frequency with which rent allowance shall be paid (regulation 20);

(*j*) to extend the scope of the exception from the requirement to pay certain housing benefits only to the person entitled, so as to allow payment direct to a landlord in all cases where the tenant is at least 13 weeks in arrears with his rent or direct to persons appointed to act for the person entitled for the purposes of social security legislation (regulation 21);

(*k*) to permit recovery of overpayments arising out of payment being made in advance of entitlement even though the claimant is receiving supplementary benefit and there has been no misrepresentation or failure to disclose material facts (regulation 22);

(*l*) to enable authorities to revise their determinations in certain cases even if there has been no change of circumstances (regulation 26);

(*m*) to provide for the disregard of war pensioner's mobility supplement when income is ascertained for the purposes of housing benefits (regulation 27(2));

(*n*) to provide, in the calculation of rent rebate or allowance for those on supplementary benefit, that the lesser amount which is to be deducted from rent in respect of a heating charge shall be deducted where the heating paid for in the rent is not adequate for the dwelling, without regard to any special need of the occupiers for heating (regulation 28);

Other amendments are of a minor or clarificatory character or consequential upon those mentioned above.

The Report of the Social Security Advisory Committee dated 21st December 1983 on the proposals relevant to these regulations and a statement showing the extent to which these regulations give effect to the Committee's recommendations and, in so far as they do not give effect to them, the reasons why not, are contained in Command Papers Nos 9150 and 9155 respectively, published by Her Majesty's Stationery Office.

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