STATUTORY INSTRUMENTS

1982 No. 1129

HOUSING, ENGLAND AND WALES
HOUSING, SCOTLAND
RATING AND VALUATION

The Housing Benefits (Permitted Totals for Local Schemes) Regulations 1982

Laid before Parliament in draft

Made - - - -	3*rd August* 1982
Coming into Operation	1*st April* 1983

The Secretary of State for Social Services, in exercise of powers conferred on him by section 30(6) of the Social Security and Housing Benefits Act 1982(**a**) ("the 1982 Act") 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**), hereby makes the following regulations of which, these being the first regulations under section 30(6) of the 1982 Act, a draft has been laid before and approved by each House of Parliament.

This instrument satisfies the requirements of paragraph 38 of Schedule 4 to the 1982 Act, and the Secretary of State has not referred proposals to make any of the regulations contained in it to the Industrial Injuries Advisory Council or the Social Security Advisory Committee.

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Housing Benefits (Permitted Totals for Local Schemes) Regulations 1982 and shall come into operation on 1st April 1983.

(**a**) 1982 c. 24.
(**b**) *See* section 36(1) of the Social Security and Housing Benefits Act 1982.

(2) In these regulations—

"benefit" means rate rebate, rent rebate or rent allowance, as the circumstances may require;

"certificated case benefits" means the amount of benefit that would have been granted by an authority in certificated cases within the meaning of the Housing Benefits Regulations if the local scheme had not been in force;

"exceptional case additions" means any additional amount of benefit which would have been granted by an authority under regulation 22 of the Housing Benefits Regulations if the local scheme had not been in force;

"Housing Benefits Regulations" means the Housing Benefits Regulations 1982(**a**);

"standard case benefits" means the amount of benefit, other than certificated case benefits, that would have been granted by an authority under the Housing Benefits Regulations if:

(i) the local scheme had not been in force,

(ii) regulation 4 of those regulations did not permit any modification of the statutory scheme, and

(iii) regulation 22 of those regulations (additional amount of benefit in exceptional circumstances) were omitted.

Permitted totals of benefits

2. For the purposes of section 30 of the Social Security and Housing Benefits Act 1982 the permitted total of benefits for any year shall be, in relation to an authority's local scheme, an amount equal to—

(*a*) the aggregate of 100% of certificated case benefits for that year and 110% of standard case benefits for that year; less

(*b*) any exceptional case additions for that year.

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

Hugh Rossi,
Minister for Social Security,
Department of Health and Social Security.

30th July 1982.

We consent,

Geoffrey Howe,
John Selwyn Gummer,
Two of the Lords Commissioners of Her Majesty's Treasury.

3rd August 1982.

(**a**) S.I. 1982/1124.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations set out the basis for calculating the permitted total of rebates or allowances for authorities granting rate rebates, rent rebates or rent allowances under local modifications of the statutory schemes for granting such rebates or allowances. Section 30 of the Social Security and Housing Benefits Act 1982 permits authorities to modify the statutory schemes (set out in the Housing Benefits Regulations 1982), but under section 30(4) of that Act modifications are to be so framed that in the estimate of the authority amounts of rebate or allowance granted under the schemes as modified will not exceed the amount calculated in accordance with these regulations.

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