STATUTORY INSTRUMENTS

1982 No. 903

LOCAL GOVERNMENT, ENGLAND AND WALES
LOCAL GOVERNMENT, SCOTLAND

The Housing Benefits (Subsidy) (No 1) Order 1982

Made - - -	2*nd July* 1982
Laid before Parliament	8*th July* 1982
Coming into Operation	29*th July* 1982

The Secretary of State for Social Services, in exercise of the powers conferred upon him by sections 32(2) and 45(2) of the Social Security and Housing Benefits Act 1982(**a**) and section 166(2) of the Social Security Act 1975(**b**) (as applied by section 45(1) of the 1982 Act) and of all other powers enabling him in that behalf, having, in accordance with section 36(1) of the 1982 Act, consulted with organisations appearing to him to be representative of the authorities concerned, and with the consent of the Treasury, hereby makes the following order:

Citation, commencement and interpretation

1.—(1) This order may be cited as the Housing Benefits (Subsidy) (No 1) Order 1982 and shall come into operation on 29th July 1982.

(2) In this order, unless the context otherwise requires:

"an authority" means a rating, housing, or local authority;

"the 1982 Act" means the Social Security and Housing Benefits Act 1982.

Calculation of subsidy

2. The rate rebate subsidy, rent rebate subsidy and rent allowance subsidy payable to an authority under section 32(1) of the 1982 Act for the initial year shall be the sum of the amounts set out in articles 3 and 4 of this order.

Rebates

3. The amount to be taken into account under article 2 above, having regard to section 32(2)(*a*) of the 1982 Act shall be 100% of the rate rebates or rent rebates, as the case may be, granted by an authority during the initial year.

(**a**) 1982 c.24. (**b**) 1975 c.14.

Administration costs

4. The amount to be taken into account under article 2 above, having regard to section 32(2)(*c*) of the 1982 Act shall be 100% of:—

(1) an amount which represents the difference between—

(*a*) the total of the costs of administering the rate rebates or rent rebates granted during the initial year; and

(*b*) an amount which represents the difference between the expenditure which the authority reasonably estimates it would have incurred during that year on—

(i) debt charges incurred by the authority as a result of rate and rent arrears; and

(ii) the costs of rate and rent collection;

if none of the provisions of the Housing Benefits Regulations 1982 had come into operation during the initial year; and the expenditure which the authority actually incurred on (i) and (ii) above;

(2) the administration costs incurred by an authority during the initial year in respect of rate rebates, rent rebates or rent allowances, as the case may be, to be granted after the end of that period.

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

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

1st July 1982.

We consent,

P. L. Brooke,
J. A. Cope,
Two of the Lords Commissioners of Her Majesty's Treasury.

2nd July 1982.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This order sets out the basis on which the subsidy payable to authorities who grant rate rebates, rent rebates or rent allowances under the 1982 Act is to be calculated for the initial year.

Article 3 sets out the basis on which the costs of rebates granted are to be taken into account and article 4 sets out the basis on which administration costs are to be taken into account. There will be no rent allowances granted under the 1982 Act during the initial year (the period of 12 months ending with 31st March 1983) but rent allowance subsidy will be payable in respect of administration costs incurred in preparing for grants in future years.

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