STATUTORY INSTRUMENTS

1983 No. 912

HOUSING, ENGLAND AND WALES
HOUSING, SCOTLAND
RATING AND VALUATION

The Housing Benefits (Transitional) Amendment (No. 2) Regulations 1983

Made - - - - -	*28th June* 1983
Laid before Parliament	*30th June* 1983
Coming into Operation	*1st July* 1983

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 agreement by the Social Security Advisory Committee that proposals to make these regulations should not be referred to it**(c)**, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Housing Benefits (Transitional) Amendment (No. 2) Regulations 1983 and shall come into operation on 1st July 1983.

Amendment of the Housing Benefits (Transitional) Regulations 1982

2. The Housing Benefits (Transitional) Regulations 1982**(d)** are amended as follows:—

(*a*) in regulation 2(2) (determinations relating to persons in receipt of rebates or allowances under repealed legislation) for "30th June 1983" there is substituted "30th September 1983"; and

(*b*) in regulation 6 (persons awarded supplementary benefit for housing benefit expenditure)—

(i) in paragraph (2A)(*d*) for "30th September 1983" there is substituted "31st December 1983", and

(ii) in paragraph (4) for "1st September 1983" there is substituted "31st December 1983".

(a) 1982 c. 24.
(b) *See* section 36(1)(*a*) of the Social Security and Housing Benefits Act 1982.
(c) *See* section 10(2)(*b*) of the Social Security Act 1980 (c. 30).
(d) S.I. 1982/1520; the relevant amending instrument is S.I. 1983/438.

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

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

23rd June 1983.

We consent,

Donald Thompson,
D. J. F. Hunt,
Two of the Lords Commissioners of
Her Majesty's Treasury.

28th June 1983.

EXPLANATORY NOTE

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

These Regulations amend the Housing Benefits (Transitional) Regulations 1982 by extending the duration of three transitional provisions made in connection with the statutory schemes for the granting by local authorities of rate rebates, rent rebates and rent allowances (together called "housing benefits") introduced by Part II of the Social Security and Housing Benefits Act 1982, which came fully into operation on 4th April 1983.

Authorities who continue to make payments to a person who was receiving a rebate or allowance under legislation repealed from 4th April 1983 have a transitional period during which to determine the amount of any housing benefit payable under the new statutory schemes. These regulations postpone the end of that period from 30th June 1983 to 30th September 1983.

During a transitional period, to prevent duplication of payments, amounts paid by way of supplementary benefit towards a person's rent and rates are taken into account in the calculation of his entitlement to housing benefits. These regulations postpone the end of that period from 1st September 1983 to 31st December 1983.

Where a person is paid supplementary benefit for a time after the start of the new statutory schemes but would not have been so paid if that benefit had been revised so as to take account of those schemes, special provisions apply. In particular, housing benefits are payable to such a person from a date earlier than that from which they would otherwise be payable, but only where he makes a claim by a specified date. These regulations change that date from 30th September 1983 to 31st December 1983.

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