

SCHEDULE 4

AMENDMENTS TO THE HOUSING BENEFIT REGULATIONS AND COUNCIL TAX BENEFIT REGULATIONS RELATING TO CLAIMS

PART I

HOUSING BENEFIT AMENDMENTS

1. The Housing Benefit Regulations shall be amended in accordance with the following provisions of this Part.

2. In regulation 2 (interpretation), in paragraph (1)–

(a) after the entry relating to “date of claim” there shall be inserted the following entry–
“the designated authority” means any of the following–

- (a) the Secretary of State;
- (b) a person providing services to the Secretary of State;
- (c) a local authority;
- (d) a person providing services to, or authorised to exercise any functions of, any such authority;
- (b) the entry relating to “relevant authority” shall be omitted⁽¹⁾.

3. In regulation 71 (who may claim), in paragraph (7), for the words “ Part I or II of Schedule 2 to the Social Security (Claims and Information) Regulations 1999” there shall be substituted the words “Schedule 1 to the Work-focused Interviews Regulations” and for the words “relevant authority”, there shall be substituted the words “designated authority ”.

4. In regulation 72 (time and manner in which claims are to be made)–

(a) in paragraph (1), for the words “Subject to regulation 72B, every”, there shall be substituted the word “Every”;

(b) in paragraph (4)–

(i) in sub-paragraph (d), for the words “and is not engaged in remunerative work”, there shall be substituted the words “and is neither engaged in remunerative work nor residing in an area identified in Schedule 1 to the Work-focused Interviews Regulations”;

(ii) at the end there shall be added the following sub-paragraph–

“(e) may be sent or delivered to the office of a designated authority where the claimant–

(i) has attained the age of 16 but not the age of 60; and

(ii) resides in an area identified in Schedule 1 to the Work-focused Interviews Regulations.”.

5. In regulation 72A(2) (date of claim where claim sent or delivered to a gateway office) in paragraph (3) at the end there shall be added the words “or are made at an office of a designated authority in accordance with regulation 72(4)(c).”.

6. For regulations 72B and 72C(3), there shall be substituted the following regulation–

(1) The relevant amending Instrument is [S.I. 1999/3108](#).

(2) The relevant amending Instrument is [S.I. 1999/1539](#).

(3) The relevant amending Instrument is [S.I. 1999/3108](#).

Status: This is the original version (as it was originally made).

“Date of claim where claim sent or delivered to an office of a designated authority

72B.—(1) Where a claim for housing benefit has been sent or delivered to an office of a designated authority in accordance with regulation 72(4)(e), the date on which the claim is made shall be—

- (a) except where paragraph (b) applies, the date the claim is received at an office of the designated authority; or
- (b) where in the 4 weeks before the claim is received in an office of a designated authority, the person making the claim or a person acting on his behalf had notified an office of a designated authority of his intention to make such a claim, the date the notification was given.

(2) A notification of intention to make a claim is deemed to be given on the date on which notification of the intention to claim housing benefit is received, in whatever form, from the claimant, or the person acting on his behalf, at an office of a designated authority.

(3) Paragraph (2) applies where neither income support nor a jobseeker’s allowance is claimed in conjunction with housing benefit.

(4) Where the person claiming housing benefit in accordance with regulation 72(4)(e), or the partner of that person,—

- (a) has an award of income support or income-based jobseeker’s allowance; or
- (b) has claimed such a benefit but no award has been made,

the date on which the claim for housing benefit is made shall be determined as if subparagraphs (a), (b), (c) and (e) of paragraph (1) of regulation 72A applied to that claim as they apply to claims under regulation 72(4)(d).”.

7. In regulation 73 (evidence and information) paragraph (7) shall be omitted.

8. In regulation 75 (duty to notify change of circumstances), in paragraph (4), for the words “relevant authority” there shall be substituted the words “designated authority”.