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SCHEDULES

SCHEDULE 6

SOCIAL SECURITY INVESTIGATION POWERS

Exercise of powers on behalf of the Housing Executive

3. For sections 104A and 104B (inspectors appointed by the Housing Executive for the purposes of housing benefit) there shall be substituted—

“104A Authorisations by the Housing Executive

(1) An individual who for the time being has the authorisation of the Housing Executive for the purposes of this Part (“a Housing Executive authorisation”) shall be entitled, for any one or more of the purposes mentioned in subsection (2) below, to exercise any of the powers which, subject to subsection (7) below, are conferred on an authorised officer by sections 103B and 103C above.

(2) Those purposes are—

- (a) ascertaining in relation to any case whether housing benefit is or was payable in that case;
- (b) ascertaining whether provisions of the relevant social security legislation that relate to housing benefit are being, have been or are likely to be contravened (whether by particular persons or more generally);
- (c) preventing, detecting and securing evidence of the commission (whether by particular persons or more generally) of benefit offences relating to housing benefit.

(3) An individual has the authorisation for the purposes of this Part of the Housing Executive if, and only if, the Housing Executive has granted him an authorisation for those purposes and he is—

- (a) an individual employed by the Housing Executive;
- (b) an individual authorised to carry out functions of the Housing Executive relating to housing benefit; or
- (c) an official of a government department.

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(4) Subsection (4) of section 103A above shall apply in relation to a Housing Executive authorisation as it applies in relation to an authorisation under that section.

(5) A Housing Executive authorisation may be withdrawn at any time by the Housing Executive or by the Department.

(6) It shall be the duty of the Housing Executive to comply with any directions of the Department as to—

- (a) whether or not Housing Executive authorisations are to be granted by the Housing Executive;
- (b) the period for which authorisations granted by the Housing Executive are to have effect;
- (c) the number of persons who may be granted authorisations by the Housing Executive at any one time; and
- (d) the restrictions to be contained by virtue of subsection (4) above in the authorisations granted by the Housing Executive for those purposes.

(7) The powers conferred by sections 103B and 103C above shall have effect in the case of an individual who is an authorised officer by virtue of this section as if those sections had effect—

- (a) with the substitution for every reference to the purposes mentioned in section 103A(2) above of a reference to the purposes mentioned in subsection (2) above; and
- (b) with the substitution for every reference to the relevant social security legislation of a reference to so much of it as relates to housing benefit.”.