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**Changes to legislation:** Housing Act 1996, Cross Heading: Administration of council tax benefit is up to date with all changes known to be in force on or before 07 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 12

#### ADMINISTRATION OF HOUSING BENEFIT, &C

##### *Administration of council tax benefit*

- 2 In section 138 of the <sup>M1</sup>Social Security Administration Act 1992 (council tax benefit: nature of benefit), at the end of subsection (1) insert—

“References in any enactment or instrument (whenever passed or made) to payment, in relation to council tax benefit, include any of those ways of giving the benefit.

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#### **Marginal Citations**

**M1** 1992 c. 5.

- 3 (1) Section 139 of the Social Security Administration Act 1992 (arrangements for council tax benefit) is amended as follows.
- (2) For subsections (4) and (5) (agreements with other authorities for carrying out of functions) substitute—
- “(4) Nothing in this section shall be read as excluding the general provisions of the Local Government Act 1972 or the Local Government (Scotland) Act 1973 from applying in relation to the council tax benefit functions of a local authority.”.
- (3) In subsection (7) for the words from “the benefits which will be allowed” to the end substitute “ the amount of benefit which will be paid by them in any year will not exceed the permitted total or any subsidiary limit specified by order of the Secretary of State. ”.
- (4) In subsection (9) for the words from “the benefits allowed by it” to the end substitute “ the amount of benefit paid by them in any year exceeds the permitted total or any subsidiary limit specified by order of the Secretary of State. ”.
- (5) For subsection (10) substitute—
- “(10) The Secretary of State—
- (a) shall by order specify the permitted total of council tax benefit payable by any authority in any year; and
  - (b) may by order specify one or more subsidiary limits on the amount of council tax benefit payable by any authority in any year in respect of any matter or matters specified in the order.

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The power to specify the permitted total or a subsidiary limit may be exercised by fixing an amount or by providing rules for its calculation.”.

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**Changes and effects yet to be applied to :**

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 124(1A) inserted by [2016 c. 22 Sch. 7 para. 20\(2\)](#)
- s. 124(6) inserted by [2016 c. 22 Sch. 7 para. 20\(6\)](#)
- s. 124A124B inserted by [2016 c. 22 Sch. 7 para. 21](#)
- s. 125A(3A)(3B) inserted by [2016 c. 22 Sch. 7 para. 22\(3\)](#)
- s. 130A inserted by [2016 c. 22 Sch. 8 para. 7](#)
- s. 133(1A) inserted by [2016 c. 22 Sch. 8 para. 9\(2\)](#)
- s. 143J(3A) inserted by [2016 c. 22 Sch. 8 para. 13\(2\)](#)
- s. 143J(7)(a) words omitted by [S.I. 2022/1166 reg. 25\(11\)\(b\)](#) (This amendment comes into force immediately after 2016 c. 22, s. 120 and Sch. 8 para. 13(3) come into force)
- s. 143GA143GB inserted by [2016 c. 22 Sch. 8 para. 10](#)
- s. 143MA(3A)-(3D) inserted by [2016 c. 22 Sch. 7 para. 27\(3\)](#)
- s. 143MB inserted by [2016 c. 22 Sch. 7 para. 28](#)