



Social Security Administration (Fraud) Act 1997

1997 CHAPTER 47

Administration of housing benefit and council tax benefit

8 Directions by Secretary of State

After section 139C of the Social Security Administration Act 1992 (inserted by section 5) insert—

“Directions by Secretary of State

139D Directions

- (1) This section applies where—
 - (a) a copy of a report has been sent to an authority under section 139C(2) above;
 - (b) a copy of a report has been sent to an authority under section 18(3) of the Local Government Finance Act 1982 and to the Secretary of State under section 28AC(2) of that Act;
 - (c) a copy of a report relating to the administration of benefit has been sent to a local authority under section 102(2) of the Local Government (Scotland) Act 1973 and to the Secretary of State and section 103(1) of that Act has been complied with; or
 - (d) a copy of a report has been sent to an authority under section 28AB(7) of the Local Government Finance Act 1982 or section 105A(7) of the Local Government (Scotland) Act 1973.
- (2) The Secretary of State may invite the authority to consider the report and to submit proposals for—
 - (a) improving its performance in relation to the prevention and detection of fraud relating to benefit or otherwise in relation to the administration of benefit; and

Status: This is the original version (as it was originally enacted).

- (b) remedying any failings identified by the report.
- (3) After considering the report and any proposals made by the authority in response to it, the Secretary of State may give directions to the authority as to—
 - (a) standards which the authority is to attain in the prevention and detection of fraud relating to benefit or otherwise in the administration of benefit; and
 - (b) the time within which the standards are to be attained.
- (4) When giving directions to an authority under subsection (3) above, the Secretary of State may make recommendations to the authority setting out any course of action which he thinks it might take to attain the standards which it is directed to attain.
- (5) In this section “benefit” means housing benefit or council tax benefit.”