



Welfare Reform Act 2007

2007 CHAPTER 5

PART 2

HOUSING BENEFIT AND COUNCIL TAX BENEFIT

33 Section 32: supplemental

- (1) The administration provisions apply in relation to housing benefit or council tax benefit to which a person is entitled by virtue of subsection (2) of section 32 subject to—
 - (a) subsections (4), (5) and (6) of that section;
 - (b) any prescribed modifications of those provisions which the Secretary of State thinks are necessary or expedient in connection with such housing benefit or council tax benefit.
- (2) Modifications under subsection (1)(b) may, in particular, provide that housing benefit or council tax benefit to which a person is entitled by virtue of section 32(2) must or may take the form of a payment by the appropriate authority to another local authority in prescribed circumstances.
- (3) In this section the administration provisions are—
 - (a) the Administration Act;
 - (b) subordinate legislation (within the meaning of the Interpretation Act 1978 (c. 30)) made in pursuance of that Act.
- (4) The power to make regulations under this section or section 32 is exercisable by the Secretary of State by statutory instrument.
- (5) A statutory instrument containing regulations under this section or section 32 is subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) Section 175(3) to (7) of the Contributions and Benefits Act (supplemental provision as to regulations) applies in relation to regulations under this section and section 32 above as it applies in relation to regulations under that Act.

Status: Point in time view as at 01/04/2008. This version of this provision has been superseded.

Changes to legislation: Welfare Reform Act 2007, Section 33 is up to date with all changes known to be in force on or before 13 May 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)

- (7) In section 170 of the Administration Act (Social Security Advisory Committee), in subsection (5)—
- (a) in the definition of “the relevant enactments”, after paragraph (ai) insert—
 - “(aj) sections 32 and 33 of the Welfare Reform Act 2007;”;
 - (b) in the definition of “the relevant Northern Ireland enactments”, after paragraph (ai) insert—
 - “(aj) any provisions in Northern Ireland which correspond to sections 32 and 33 of the Welfare Reform Act 2007;”.
- (8) For the purposes of any enactment other than a relevant enactment—
- (a) entitlement to housing benefit by virtue of section 32(2) above is to be treated as entitlement under section 130 of the Contributions and Benefits Act;
 - (b) entitlement to council tax benefit by virtue of section 32(2) above is to be treated as entitlement under section 131 of that Act.
- (9) In subsection (8), the relevant enactments are—
- (a) the administration provisions, and
 - (b) Part 7 of the Contributions and Benefits Act, except sections 123 and 134(2) and (4).

Commencement Information

II [S. 33](#) in force at 1.4.2008 for specified purposes by [S.I. 2008/411](#), [art. 2\(1\)\(b\)](#)

Status:

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