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STATUTORY INSTRUMENTS

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**1990 No. 534**

**HOUSING, ENGLAND AND WALES  
HOUSING, SCOTLAND**

**SOCIAL SECURITY**

**The Housing Benefit (Permitted Totals) Order 1990**

<i>Made</i>	- - - -	<i>7th March 1990</i>
<i>Laid before Parliament</i>		<i>9th March 1990</i>
<i>Coming into force</i>	- -	<i>1st April 1990</i>

The Secretary of State for Social Security, in exercise of powers conferred by section 28(10) of the Social Security Act 1986 (1) and section 166(1) to (3A) of the Social Security Act 1975 (2) and of all other powers enabling him in that behalf, after consultation with organisations appearing to him to be representative of the authorities concerned (3), hereby makes the following Order:

**Citation, commencement and interpretation<sup>1</sup>.**

1.—(1) This Order may be cited as the Housing Benefit (Permitted Totals) Order 1990 and shall come into force on 1st April 1990.

(2) In this Order—

“housing benefit” means rent rebate or rent allowance as the circumstances may require;

“the Housing Benefit Regulations” means the Housing Benefit (General) Regulations 1987 (4).

**Permitted totals of benefit**

2. For the purpose of section 28(9) of the Social Security Act 1986, the permitted total of rebates or allowances for any year in relation to an authority shall be the amount obtained by deducting 100% of any increases in housing benefit granted during that year by that authority under regulation 69(8) of the Housing Benefit Regulations (additional amount of benefit in exceptional circumstances) from the total housing benefit granted by that authority during that year and multiplying the resulting figure by 100.1%.

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(1) 1986 c. 50

(2) 1975 c. 14; section 166(3) was amended by the Social Security Act 1989 (c. 24), Schedule 6, paragraph 11(1), Section 166(3A) was inserted by section 62 of the Social Security Act 1986 and section 166(1) to (3A) is applied by section 83(1) of that Act.

(3) See section 61(7)(b) of the Social Security Act 1986.

(4) S.I.1987/1971

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## Revocation

3. The Housing Benefit (Permitted Totals) Order 1988 **(5)** and the Housing Benefit (Permitted Totals) Amendment Order 1989 **(6)** are hereby revoked.

Signed by authority of the Secretary of State for Social Security.

7th March 1990

*Gillian Shephard*  
Parliamentary Under-Secretary of State,  
Department of Social Security

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**(5)** S.I. [1988/471](#); relevant amending instrument is S.I. [1989/1688](#)  
**(6)** S.I. [1989/1688](#)

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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order sets out the basis for calculating the permitted total of rent rebates or rent allowances for any year for authorities granting housing benefit under Part II of the Social Security Act 1986, and limits the amount by which the housing benefit payments may be increased on account of payments to claimants whose circumstances are exceptional.