
STATUTORY INSTRUMENTS

1993 No. 484

**The Housing Benefit and Community
Charge Benefit (Subsidy) Order 1993**

PART II

HOUSING BENEFIT SUBSIDY

Homeless cases

10.—(1) Where paragraph (3) applies, any part of the housing benefit qualifying expenditure of an authority within an area listed in column (1) of Schedule 7 attributable to any rebate granted in respect of a person whose weekly eligible rent exceeds the threshold specified in relation to that area in column (2) of that Schedule, then for the purposes of article 4(1)(b)(ii), the appropriate amount in respect of that rebate shall be calculated in accordance with paragraph (2).

(2) Where paragraph (1) applies—

(a) if the rebate granted is the same as or is less than the amount by which the eligible rent exceeds the threshold, the appropriate amount shall be—

(i) in the case of rebates granted in respect of rents specified in paragraph (3)(d), nil per cent. of that part of the housing benefit qualifying expenditure attributable to such rebates; and

(ii) in the case of rebates granted in respect of rents specified in paragraph (3)(a) to (c), 25 per cent. of that part of the housing benefit qualifying expenditure attributable to such rebates;

(b) if the rebate granted is greater than the amount by which the eligible rent exceeds the threshold, the appropriate amount shall be—

(i) in the case of rebates granted in respect of rents specified in paragraph (3)(d), nil per cent. of that part of the housing benefit qualifying expenditure attributable to such rebates which is equal to the excess; and

(ii) in the case of rebates granted in respect of rents specified in paragraph (3)(a) to (c), 25 per cent. of that part of the housing benefit qualifying expenditure attributable to such rebates which is equal to the excess,

and 95 per cent. of that part of the housing benefit qualifying expenditure attributable to the balance.

(3) This paragraph applies where a rebate is payable by an authority in respect of rents which exceed the threshold, which—

(a) a person is required to pay to an authority under section 69(2)(b) of the Housing Act 1985(1) or section 35(2)(b) of the Housing (Scotland) Act 1987(2), as the case may be, for board and lodging accommodation made available to that person;

(1) 1985 c. 68.

(2) 1987 c. 26.

Status: This is the original version (as it was originally made).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

- (b) a person is required to pay to an authority under section 69(2)(b) of the Housing Act 1985 or section 35(2)(b) of the Housing (Scotland) Act 1987, as the case may be, for accommodation, which the authority holds on a licence agreement from a landlord, made available to that person;
- (c) a person is required to pay to an authority for accommodation outside the Housing Revenue Account, which the authority holds on a lease granted for a term not exceeding 3 years, made available to that person;
- (d) in the case of Scotland, a person is required to pay to an authority for accommodation within the Housing Revenue Account, which the authority holds on a lease granted for a term not exceeding 3 years, made available to that person.