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STATUTORY INSTRUMENTS

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**1995 No. 531**

**The Local Government Changes for England (Housing Benefit and Council Tax Benefit) Regulations 1995**

**Interpretation**

2.—(1) In these Regulations—

“the Act” means the Local Government Act 1992;

“the Administration Act” means the Social Security Administration Act 1992 <sup>M1</sup>;

“the 1987 Regulations” means the Housing Benefit (General) Regulations 1987 <sup>M2</sup>;

“the 1992 Regulations” means the Council Tax Benefit (General) Regulations 1992 <sup>M3</sup>;

“abolished authority” means a principal council which is or is to be wound up and dissolved by a section 17 order;

[<sup>F1</sup>“designated authority” means—

(a) in a case where there are two or more successor authorities in relation to an abolished authority which are principal councils, the successor authority which is specified in a section 17 Order as the designated authority in relation to regulation 6(8) and Part III of the Local Government Changes for England (Property Transfer and Transitional Payments) Regulations 1995; and

(b) in the case of the relinquishing authority and the acquiring authority in relation to a transferred area, the relinquishing authority;]

“the reorganisation date”, in relation to an authority, means the date (being 1st April in any year) which is specified as such in a section 17 order;

“section 17 order” means an order under section 17 of the Act; and

“successor authority”, in relation to an abolished authority, means—

(i) where a section 17 order gives effect to a structural change, an authority to which any functions of the abolished authority are or are to be transferred on the reorganisation date; and

(ii) where such an order gives effect to a boundary change, an authority whose area, on and after that date, includes, or is to include, an area which, before that date, is the whole or any part of the area of the abolished authority.

(2) In these Regulations—

(a) any reference to a transferred area is a reference to an area in relation to which, immediately before the reorganisation date, a principal council (other than an abolished authority) (“the relinquishing authority”) exercises functions which, by virtue of a structural or boundary change effected by a section 17 order, it ceases to exercise on that date; and

(b) any reference to the acquiring authority in relation to such an area is a reference to the authority which, by virtue of such a change, exercises or is to exercise those functions in relation to the area on and after that date.

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**Changes to legislation:** *The Local Government Changes for England (Housing Benefit and Council Tax Benefit) Regulations 1995, Section 2 is up to date with all changes known to be in force on or before 20 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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(3) These Regulations are to be read, where appropriate, with the Local Government Changes for England Regulations 1994 <sup>M4</sup>.

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**Textual Amendments**

- F1** Words in reg. 2(1) inserted (1.4.1996) by [The Local Government Changes for England \(Housing Benefit and Council Tax Benefit\) Amendment Regulations 1996 \(S.I. 1996/547\)](#), regs. 1, **2(2)**
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**Marginal Citations**

- M1** [1992 c.5](#).
- M2** [S.I. 1987/1971](#), amended by [S.I. 1988/661](#), 909, 1444, 1843, 1971, 1989/43, 416, 566, 1017, 1322, 1990/546, 671, 1549, 1657, 1775, 2564, 1991/235, 1599, 2910, 1992/50, 201, 432, 1026, 1101, 1326, 1585, 2148, 3147, 1993/317, 518, 963, 1150, 1249, 1540, 2118, 1994/470, 578, 1003, 2137 and 3061.
- M3** [S.I. 1992/1814](#); amended by [S.I. 1993/349](#), 688, 963, 1150, 1249, 1540, 2118, 1994/470, 578, 1925, 2137 and 3061.
- M4** [S.I. 1994/867](#).

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

- reg.2(1) (defn. of designated authority) added by [S.I. 1996/547 reg.2\(2\)](#)