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STATUTORY INSTRUMENTS

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**1995 No. 872**

**SOCIAL SECURITY**

**The Housing Benefit and Council  
tax Benefit (Subsidy) Order 1995**

*Made* - - - - - *23rd March 1995*  
*Laid before Parliament* *30th March 1995*  
*Coming into force* *20th April 1995*

**THE HOUSING BENEFIT AND COUNCIL  
TAX BENEFIT (SUBSIDY) ORDER 1995**

PART I  
GENERAL

1. Citation, commencement and interpretation

PART II  
HOUSING BENEFIT SUBSIDY

2. Interpretation of Part II
3. Amount of housing benefit subsidy
4. Rebates and allowances
5. Backdated benefit
6. Disproportionate rent increase
7. Treatment of high rents
8. Rent officers' determinations
9. Additions in respect of homeless and short lease cases
10. Other additions to housing benefit subsidy
11. Deductions to be made in calculating housing benefit subsidy in respect of rebates or allowances
12. Deduction from housing benefit subsidy
13. Additions to and deductions from housing benefit subsidy in respect of benefits savings

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PART III  
COUNCIL TAX BENEFIT SUBSIDY

14. Interpretation of Part III
  15. Amount of council tax benefit subsidy
  16. Council tax benefit
  17. Backdated benefit
  18. Additions to council tax benefit subsidy
  19. Deductions to be made in calculating subsidy in respect of council tax benefit
  20. Deduction from council tax benefit subsidy
  21. Additions to and deductions from council tax benefit subsidy in respect of benefits savings
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SCHEDULE 1 — CALCULATION OF HOUSING BENEFIT SUBSIDY IN RESPECT OF ADMINISTRATIVE COSTS

PART I — GENERAL INTERPRETATION

1. (1) The additional sum which may be paid to an...

PART II — APPLICABLE AND FURTHER AMOUNTS

2. Housing benefit applicable amount
3. Further amount

PART III — SUPPLEMENTARY AMOUNT

4. Supplementary amount
5. Where the supplementary amount for an appropriate authority as calculated...
6. Where the total of the supplementary amounts calculated in accordance...
7. Where the supplementary amount for an appropriate authority as further...
8. Until such time as the aggregate of the authorities' supplementary...

SCHEDULE 2 — CALCULATION OF COUNCIL TAX BENEFIT IN RESPECT OF ADMINISTRATION COSTS

PART I — GENERAL INTERPRETATION

1. (1) The additional sum which may be paid to an...

PART II — APPLICABLE AND FURTHER AMOUNTS

2. Council tax benefit applicable amount
3. Further amount
4. Calculation of applicable and further amounts
5. Where the total of all the housing benefit amounts calculated...
6. Where, in the case of an appropriate authority in England...
7. Until the council tax benefit amounts under this Part as...

PART III — SUPPLEMENTARY AMOUNT

8. Supplementary amount
9. Where the supplementary amount for an appropriate authority as calculated...
10. Where the total of the supplementary amounts calculated in accordance...
11. Where the supplementary amount for an appropriate authority as further...
12. Until such time as the aggregate of the authorities' supplementary...

SCHEDULE 3 — MAXIMUM AMOUNTS OF HOUSING BENEFIT SUBSIDY PAYABLE IN RESPECT OF CERTAIN AUTHORITIES IN SCOTLAND

SCHEDULE 4 — CALCULATION OF DEDUCTIONS FROM HOUSING BENEFIT SUBSIDY AND COUNCIL TAX BENEFIT SUBSIDY IN RESPECT OF PERIOD OVERRUNS

PART I — GENERAL INTERPRETATION

1. In this Schedule, unless the context otherwise requires— “period overrun”...

PART II — DEDUCTIONS

2. The percentage referred to in article 4(3)(a) for an authority...
3. The percentage referred to in article 4(3)(b) for an authority...
4. The percentage referred to in article 16(2) for an appropriate...

PART III — CALCULATIONS AND TABLES

5. (1) In the heading to column 1 in the Table...

SCHEDULE 5 — THRESHOLD ABOVE WHICH REDUCED HOUSING BENEFIT SUBSIDY IS PAYABLE ON RENT ALLOWANCE TABLE

SCHEDULE 6 — RENT OFFICERS' DETERMINATIONS

1. Calculation of the appropriate amount
2. Rent officers' determination
3. Where the rent officer determines a property-specific rent, and does...
4. Rent officers' property-specific and size-related rents
5. No restriction on unreasonable rents or on rent increases
6. Deductions in respect of allowances
7. Relevant date
8. Termination date
9. Apportionment
10. Interpretation

SCHEDULE 7 — AMOUNT BY REFERENCE TO WHICH APPROPRIATE MAXIMUM AMOUNT IS DETERMINED

SCHEDULE 8 — BENEFIT SAVINGS

PART I — GENERAL INTERPRETATION

1. (1) The additions to or deductions from, as the case...

PART II — HOUSING BENEFIT SAVINGS

2. Addition to housing benefit subsidy
3. In the case of a relevant authority where the savings...
4. Deduction from housing benefit subsidy

PART III — COUNCIL TAX BENEFIT SAVINGS

5. Council tax benefit savings
6. In the case of an authority where the savings which...
7. Deduction from council tax benefit subsidy

PART IV — TABLE

8. The Table referred to in this Schedule is as follows:...

SCHEDULE 9 — PRESCRIBED CASELOAD AND CLAIMS FIGURES

SCHEDULE 10 — PRESCRIBED FIGURES FOR THE CALCULATION OF THE APPLICABLE AMOUNT

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SCHEDULE 11 —

Explanatory Note