
STATUTORY INSTRUMENTS

1996 No. 677

The Housing Benefit (Permitted Totals) Order 1996

Increase above maximum rent

4.—(1) The calculation referred to in article 2 above shall be the amount obtained by deducting 100% of any increases above maximum rent in cases in which that authority has during that year made a determination under regulation 61(3) of the Housing Benefit Regulations from the total housing benefit granted by that authority during that year, less the deductions specified in paragraph (2) below, and multiplying the resulting figure by [^{F1}101.08%].

(2) The deductions referred to in paragraph (1) above are—

- (a) all rent rebates granted during that year;
- (b) subject to paragraph (3) below, all rent allowances granted during that year in cases where the local authority did not refer a claim for housing benefit, in relation to the dwelling in respect of which that allowance was granted, to the rent officer pursuant to regulation 12A of the Housing Benefit Regulations ^{M1}; and
- (c) any increase in housing benefit.

(3) No rent allowance shall be deducted pursuant to paragraph (2)(b) above, if that case was not referred to the rent officer by reason of paragraph (2)(a) of regulation 12A of those Regulations.

Textual Amendments

- F1** Word in art. 4(1) substituted (7.10.1996) by [The Housing Benefit \(Permitted Totals\) \(Amendment\) Order 1996 \(S.I. 1996/2326\)](#), [art. 2](#) reg. 1

Marginal Citations

- M1** Regulation 12A was added by [S.I. 1990/546](#) and amended by [S.I. 1993/317](#), [1995/560/1644](#) and [2868](#).

Changes to legislation:

The Housing Benefit (Permitted Totals) Order 1996, Section 4 is up to date with all changes known to be in force on or before 11 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Schedule subst by [S.I. 2001/1129 art 3](#) Schedule
- art.4 amended by [S.I. 1996/2326 art.2](#)