

STATUTORY INSTRUMENTS

1997 No. 1995

The Rent Officers (Housing Benefit Functions) (Scotland) Order 1997

Amendment to 1995 Order

8.—^{F1}(1) The Rent Officers (Additional Functions) (Scotland) Order 1995 ^{M1} shall be amended by the insertion at the end of article 6 (special cases) of the following:—

“(3) In a case where the local authority states in the application that the rent includes charges for general counselling or any other support services which are eligible for housing benefit solely by virtue of paragraph 1(f)(iii) of Schedule 1 to the 1987 Regulations (landlord’s support services: supported accommodation) or solely by virtue of that provision and paragraph 1(f)(ii) of that Schedule, the rent officer shall assume when making a determination or a redetermination that—

- (a) the services were not to be provided or made available; and
- (b) the rent payable under the tenancy at the relevant time is such amount as is specified in the application as the rent which would have been payable under the tenancy at that time if those items were not to be provided or made available.

(4) In a case where the local authority states in the application that the rent includes charges for general counselling or any other support services and the charges—

- (a) are eligible for housing benefit by virtue of paragraph 1(f)(iii) of Schedule 1 to the 1987 Regulations, or that provision and paragraph 1(f)(ii) of that Schedule; and
- (b) are also eligible for housing benefit by virtue of paragraph 1(f)(i) of that Schedule (support services: other exceptions),

the rent officer shall include in the notice to the local authority, required under article 3(1)(c), a statement of the amount of the rent payable for the tenancy (which has the same meaning as in paragraph 3(1) of Schedule 1 to this Order) which relates to those charges.”.

(2) The amendment made by paragraph (1) above does not have effect in a case where an application for a determination is made before 18th August 1997.]

Textual Amendments

F1 Art. 8 revoked (03.09.1997) by [The Rent Officers \(Housing Benefit Functions\) \(Scotland\) Order 1997 \(S.I. 1997/1995\)](#), **arts. 1(2), 9(1)** (with art. 9(2))

Marginal Citations

M1 [S.I. 1995/1643](#), amended by the instruments listed in Schedule 5 to this Order.

Changes to legislation:

There are currently no known outstanding effects for the The Rent Officers (Housing Benefit Functions) (Scotland) Order 1997, Section 8.