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STATUTORY INSTRUMENTS

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**1998 No. 562**

**The Income-related Benefits  
(Subsidy to Authorities) Order 1998**

**PART III**

**CALCULATION OF SUBSIDY**

**[<sup>F1</sup><sup>F2</sup>Subsidy in respect of non self-contained licensed accommodation, and board and lodging accommodation, provided by an authority as temporary or short term accommodation]**

17.—(1) [<sup>F3</sup>This article applies where—

- (a) a rent rebate is payable by an authority;
- (b) a person (“P”) is required to pay the authority for—
  - (i) board and lodging accommodation; or
  - (ii) accommodation which is not self-contained and which the authority has a right to use under an agreement, other than a lease, with a third party; and
- (c) the authority makes the accommodation available to P—
  - (i) to discharge any of its functions under Part 3 of the Housing Act 1985, Part 7 of the Housing Act 1996 or Part 2 of the Housing (Scotland) Act 1987, as the case may be; or
  - (ii) to prevent P being or becoming homeless within the meaning of Part 7 of the Housing Act 1996 or (in Scotland) Part 2 of the Housing (Scotland) Act 1987.]

(2) Where this article applies the appropriate amount is [<sup>F4</sup>the lowest] of—

- (a) the amount of housing benefit entitlement in a week or part week, as the case may be; or
- (b) the maximum amount determined in accordance with paragraph (3); [<sup>F5</sup>or
- (c) <sup>F6</sup> ... £500 where the dwelling is located in a broad rental market area listed in Schedule 8 (broad rental market areas in London) or £375 where the dwelling is located in any other broad rental market area.]

(3) The maximum amount referred to in paragraph (2) is the local housing allowance for January [<sup>F7</sup>2011] for the category specified in paragraph 1(1)(b) of Schedule 3B to the Rent Officers Order which is applicable to the broad rental market area in which the accommodation is situated.

<sup>F8</sup>( 3A ) .....

(4) For the purposes of this article and [<sup>F9</sup>articles 17A, 17B and 17C], accommodation is self-contained if P’s household is not required to share one or more of the following with another household—

- (a) a kitchen;

*Status: Point in time view as at 28/01/2014. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the The Income-related Benefits (Subsidy to Authorities) Order 1998, Section 17. (See end of Document for details)*

- (b) a toilet;
- (c) a bathroom.
- (5) In this article and [<sup>F10</sup>articles 17A, 17B and 17C]—
- “broad rental market area” has the meaning specified in paragraph 4 of Schedule 3B to the Rent Officers Order; and
- “local housing allowance” means an allowance determined in accordance with paragraph 2 of Schedule 3B to the Rent Officers Order.]

#### Textual Amendments

- F1** Arts. 17-17A substituted for art. 17 (1.4.2010) by [Income-related Benefits \(Subsidy to Authorities\) \(Temporary Accommodation\) Amendment Order 2009 \(S.I. 2009/2580\)](#) , arts. 1 , **2(3)**
- F2** Art. 17 heading substituted (1.4.2011) by [Income-related Benefits \(Subsidy to Authorities\) \(Temporary Accommodation\) Amendment Order 2010 \(S.I. 2010/2509\)](#), arts. 1, **2(6)**
- F3** Art. 17(1) substituted (1.4.2011) by [Income-related Benefits \(Subsidy to Authorities\) \(Temporary Accommodation\) Amendment Order 2010 \(S.I. 2010/2509\)](#), arts. 1, **2(7)(a)**
- F4** Words in art. 17(2) substituted (with effect in accordance with art. 1(4) of the commencing S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2010 \(S.I. 2010/2481\)](#), arts. 1(1), **5(4)(a)(i)**
- F5** Art. 17(2)(c) and word added (with effect in accordance with art. 1(4) of the commencing S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2010 \(S.I. 2010/2481\)](#), arts. 1(1), **5(4)(a)(ii)**
- F6** Words in art. 17(2)(c) omitted (1.4.2011) by virtue of [Income-related Benefits \(Subsidy to Authorities\) \(Temporary Accommodation\) Amendment Order 2010 \(S.I. 2010/2509\)](#), arts. 1, **2(7)(b)**
- F7** Word in art. 17(3) substituted (1.4.2011) by [Income-related Benefits \(Subsidy to Authorities\) \(Temporary Accommodation\) Amendment Order 2010 \(S.I. 2010/2509\)](#), arts. 1, **2(7)(c)**
- F8** Art. 17(3A) omitted (1.4.2011) by virtue of [Income-related Benefits \(Subsidy to Authorities\) \(Temporary Accommodation\) Amendment Order 2010 \(S.I. 2010/2509\)](#), arts. 1, **2(7)(d)**
- F9** Words in art. 17(4) substituted (1.4.2011) by [Income-related Benefits \(Subsidy to Authorities\) \(Temporary Accommodation\) Amendment Order 2010 \(S.I. 2010/2509\)](#), arts. 1, **2(7)(e)**
- F10** Words in art. 17(5) substituted (1.4.2011) by [Income-related Benefits \(Subsidy to Authorities\) \(Temporary Accommodation\) Amendment Order 2010 \(S.I. 2010/2509\)](#), arts. 1, **2(7)(f)**

**Status:**

Point in time view as at 28/01/2014. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Income-related Benefits (Subsidy to Authorities) Order 1998, Section 17.