
STATUTORY INSTRUMENTS

1998 No. 562

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

**PART I
GENERAL**

Citation, commencement and interpretation

1.—(1) This Order, which may be cited as the Income-related Benefits (Subsidy to Authorities) Order 1998, shall come into force on 31st March 1998 and shall have effect in relation to any relevant year.

(2) In this Order, unless the context otherwise requires —

“the Act” means the Social Security Administration Act 1992;

“authority” means a billing, housing or, as the case may be, local authority;

“a 1997 authority” means a successor authority, whose reorganisation date was 1st April 1997;

“a 1998 authority” means a successor authority, whose reorganisation date was 1st April 1998;

“new authority” means

(i) in England, a successor authority, whose reorganisation date was 1st April 1996;

(ii) in Wales, an authority constituted under sections 20 and 21 of the Local Government Act 1972⁽¹⁾, and

(iii) in Scotland, an authority constituted under section 2 of the Local Government etc. (Scotland) Act 1994⁽²⁾;

“the English Regulations” means the Local Government Changes for England (Housing Benefit and Council Tax Benefit) Regulations 1995⁽³⁾;

“the 1989 Order, the Housing Benefit (Subsidy) Order 1990 (S.I. 1990/785), the Housing Benefit and Community Charge Benefit (Subsidy) Order 1991 (S.I. 1991/587), the Housing Benefit and Community Charge Benefit (Subsidy) Order 1992 (S.I. 1992/739), the Housing Benefit and Community Charge Benefit (Subsidy) (No.2) Order 1993 (S.I. 1993/935), the Housing Benefit and Council Tax Benefit (Subsidy) Order 1994 (S.I. 1994/523), the Housing Benefit and Council Tax Benefit (Subsidy) Order 1995 (S.I. 1995/872), the Housing Benefit and Council Tax Benefit (Subsidy) Order 1996 (S.I. 1996/1217) and the Housing Benefit and Council Tax Benefit (Subsidy) Order 1997 (S.I. 1997/1004)”>previous Orders” means the 1989 Order, the 1990 Order, the 1991 Order, the 1992 Order, the 1993 Order, the 1994 Order, the 1995 Order, the 1996 Order and the 1997 Order;

(1) 1972 c. 70; sections 1 and 2 of the Local Government (Wales) Act 1994 (c. 19) substituted sections 20 and 21 of the Local Government Act 1972 and made other consequential amendments to that Act.

(2) 1994 c. 59.

(3) S.I.1995/531; amended by S.I. 1996/547.

“relevant benefit” has the meaning ascribed to it in section 140B(6) of the Act⁽⁴⁾;

“following year” means the year following the relevant year;

“relevant year” means the year, commencing on 1st April 1997 or on the 1st April in any year thereafter, in respect of which a claim for subsidy is made;

“the 1989 Order” means the Housing Benefit (Subsidy) Order 1989⁽⁵⁾;

“the 1990 Order” means the Housing Benefit (Subsidy) Order 1990⁽⁶⁾;

“the 1991 Order” means the Housing Benefit and Community Charge Benefit (Subsidy) Order 1991⁽⁷⁾;

“the 1992 Order” means the Housing Benefit and Community Charge Benefit (Subsidy) Order 1992⁽⁸⁾;

“the 1993 Order” means the Housing Benefit and Community Charge Benefit (Subsidy) (No.2) Order 1993⁽⁹⁾;

“the 1994 Order” means the Housing Benefit and Council Tax Benefit (Subsidy) Order 1994⁽¹⁰⁾;

“the 1995 Order” means the Housing Benefit and Council Tax Benefit (Subsidy) Order 1995⁽¹¹⁾;

“the 1996 Order” means the Housing Benefit and Council Tax Benefit (Subsidy) Order 1996⁽¹²⁾, and

“the 1997 Order” means the Housing Benefit and Council Tax Benefit (Subsidy) Order 1997⁽¹³⁾.

(3) In paragraph (2), “successor authority” and “reorganisation date” have the same meanings as in regulation 2(1) of the English Regulations.

(4) In this Order, unless the context otherwise requires, a reference—

- (a) to a numbered Part in this Order or a Schedule to this Order, is to the Part in this Order, or that Schedule, as the case may be, bearing that number;
- (b) to a numbered article in or Schedule to this Order, is to the article in or Schedule to this Order, as the case may be, bearing that number;
- (c) in an article or a Schedule to a lettered or numbered paragraph is to the paragraph bearing that letter or number in that article or that Schedule; and
- (d) in a paragraph to a lettered or numbered sub-paragraph is to the sub-paragraph in that paragraph bearing that letter or number.

⁽⁴⁾ Section 140B was inserted by paragraph 4 of Schedule 12 to the Housing Act 1996 (c. 52).

⁽⁵⁾ S.I. 1989/607.

⁽⁶⁾ S.I. 1990/785.

⁽⁷⁾ S.I. 1991/587.

⁽⁸⁾ S.I. 1992/739.

⁽⁹⁾ S.I. 1993/935.

⁽¹⁰⁾ S.I. 1994/523.

⁽¹¹⁾ S.I. 1995/872.

⁽¹²⁾ S.I. 1996/1217.

⁽¹³⁾ S.I. 1997/1004.