

[<sup>F1</sup>SCHEDULE 1

Article 12(1)(b)

## Sums to be used in the calculation of subsidy

**Textual Amendments**

**F1** Sch. 1 substituted (with effect in accordance with art. 2(2)(5) of the amending S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) and Discretionary Housing Payments \(Grants\) Amendment Order 2021 \(S.I. 2021/1031\)](#), art. 1(1), **Sch. 1**

**Relevant Year 2020-2021**

<i>Local authority</i>	<i>Administration subsidy (£)</i>
<b>England</b>	
Adur	204,793
Allerdale	299,716
Amber Valley	366,608
Arun	517,407
Ashfield	480,401
Ashford	404,869
Babergh	215,987
Barking and Dagenham	1,324,425
Barnet	2,002,179
Barnsley	934,078
Barrow-in-Furness	258,013
Basildon	695,055
Basingstoke and Deane	468,510
Bassetlaw	353,292
Bath and North East Somerset	456,184
Bedford	541,151
Bexley	880,915
Birmingham	6,270,351
Blaby	185,270
Blackburn with Darwen	592,472
Blackpool	1,023,012
Bolsover	280,916
Bolton	1,282,493

**Status:** Point in time view as at 31/10/2021.**Changes to legislation:** There are currently no known outstanding effects for the The Income-related Benefits (Subsidy to Authorities) Order 1998. (See end of Document for details)

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Boston	255,521
Bournemouth, Christchurch and Poole	1,423,664
Bracknell Forest	320,039
Bradford	2,104,804
Braintree	407,606
Breckland	403,512
Brent	2,550,427
Brentwood	154,586
Brighton and Hove	1,328,994
Bristol	2,079,830
Broadland	262,695
Bromley	1,011,197
Bromsgrove	192,541
Broxbourne	354,254
Broxtowe	295,540
Buckinghamshire	1,317,254
Burnley	403,737
Bury	654,628
Calderdale	770,310
Cambridge	414,544
Camden	1,761,120
Cannock Chase	334,267
Canterbury	480,375
Carlisle	349,040
Castle Point	229,313
Central Bedfordshire	656,140
Charnwood	393,166
Chelmsford	462,142
Cheltenham	323,322
Cherwell	371,182
Cheshire East	875,810
Cheshire West and Chester	953,909
Chesterfield	442,262
Chichester	344,807

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Chorley	302,527
City of London	70,917
Colchester	607,221
Copeland	233,332
Corby	245,629
Cornwall	2,079,159
Cotswold	196,974
Coventry	1,472,318
Craven	112,218
Crawley	528,815
Croydon	1,815,457
Dacorum	538,059
Darlington	462,154
Dartford	325,647
Daventry	163,041
Derby	1,025,722
Derbyshire Dales	168,448
Doncaster	1,178,243
Dorset	1,014,841
Dover	408,093
Dudley	1,066,797
Durham	2,253,143
Ealing	2,150,701
East Cambridgeshire	221,333
East Devon	374,243
East Hampshire	247,394
East Hertfordshire	369,256
East Lindsey	540,979
East Northamptonshire	206,056
East Riding of Yorkshire	854,519
East Staffordshire	335,345
East Suffolk	727,746
Eastbourne	471,295
Eastleigh	283,460

**Status:** Point in time view as at 31/10/2021.**Changes to legislation:** There are currently no known outstanding effects for the The Income-related Benefits (Subsidy to Authorities) Order 1998. (See end of Document for details)

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Eden	115,759
Elmbridge	351,391
Enfield	2,327,776
Epping Forest	387,420
Epsom and Ewell	188,987
Erewash	337,792
Exeter	456,630
Fareham	228,334
Fenland	357,950
Folkestone and Hythe	442,862
Forest of Dean	228,892
Fylde	237,491
Gateshead	950,769
Gedling	335,377
Gloucester	473,035
Gosport	332,737
Gravesham	377,284
Great Yarmouth	433,964
Greenwich	1,864,547
Guildford	340,793
Hackney	3,021,376
Halton	551,704
Hambleton	191,776
Hammersmith and Fulham	1,201,186
Harborough	136,566
Haringey	2,212,237
Harlow	404,598
Harrogate	311,142
Harrow	1,035,098
Hart	158,107
Hartlepool	515,965
Hastings	474,237
Havant	366,404
Havering	857,676

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Herefordshire	548,707
Hertsmere	365,826
High Peak	266,292
Hillingdon	1,285,406
Hinckley and Bosworth	214,020
Horsham	298,583
Hounslow	1,147,936
Huntingdonshire	409,779
Hyndburn	342,703
Ipswich	610,516
Isle of Wight	572,284
Isles of Scilly	4,502
Islington	1,996,914
Kensington and Chelsea	1,159,379
Kettering	296,932
King's Lynn and West Norfolk	470,912
Kingston upon Hull	1,726,212
Kingston upon Thames	568,368
Kirklees	1,443,919
Knowsley	903,155
Lambeth	2,396,093
Lancaster	419,705
Leeds	3,399,576
Leicester	1,665,689
Lewes	348,323
Lewisham	2,334,028
Lichfield	220,549
Lincoln	434,919
Liverpool	3,167,951
Luton	1,036,852
Maidstone	494,835
Maldon	159,432
Malvern Hills	212,632
Manchester	3,197,592

**Status:** Point in time view as at 31/10/2021.**Changes to legislation:** There are currently no known outstanding effects for the The Income-related Benefits (Subsidy to Authorities) Order 1998. (See end of Document for details)

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Mansfield	444,492
Medway	1,026,243
Melton	109,292
Mendip	297,979
Merton	739,725
Mid Devon	222,693
Mid Suffolk	198,125
Mid Sussex	306,199
Middlesbrough	945,560
Milton Keynes	1,144,966
Mole Valley	215,380
New Forest	444,118
Newark and Sherwood	325,405
Newcastle-under-Lyme	405,669
Newcastle upon Tyne	1,393,727
Newham	2,407,480
North Devon	319,135
North East Derbyshire	307,200
North East Lincolnshire	682,163
North Hertfordshire	383,039
North Kesteven	244,574
North Lincolnshire	523,515
North Norfolk	325,431
North Somerset	636,683
North Tyneside	843,909
North Warwickshire	173,402
North West Leicestershire	229,498
Northampton	849,495
Northumberland	1,151,665
Norwich	807,826
Nottingham	1,897,789
Nuneaton and Bedworth	432,917
Oadby and Wigston	121,716
Oldham	965,516

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Oxford	538,657
Pendle	343,818
Peterborough	826,545
Plymouth	1,129,872
Portsmouth	1,198,961
Preston	571,119
Reading	694,950
Redbridge	1,184,389
Redcar and Cleveland	713,776
Redditch	280,281
Reigate and Banstead	391,874
Ribble Valley	99,708
Richmondshire	103,249
Richmond upon Thames	545,549
Rochdale	1,031,522
Rochford	177,649
Rossendale	240,110
Rother	271,086
Rotherham	1,105,287
Rugby	235,383
Runnymede	247,327
Rushcliffe	210,375
Rushmoor	362,714
Rutland	70,667
Ryedale	131,755
Salford	1,441,879
Sandwell	1,672,482
Scarborough	461,403
Sedgemoor	398,305
Sefton	1,093,781
Selby	193,317
Sevenoaks	310,589
Sheffield	2,569,346
Shropshire	791,339

**Status:** Point in time view as at 31/10/2021.

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

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Slough	699,045
Solihull	589,146
Somerset West and Taunton	459,698
South Cambridgeshire	299,103
South Derbyshire	227,641
South Gloucestershire	684,356
South Hams	241,595
South Holland	233,078
South Kesteven	354,970
South Lakeland	216,871
South Norfolk	312,169
South Northamptonshire	154,788
South Oxfordshire	282,191
South Ribble	255,626
South Somerset	448,498
South Staffordshire	251,565
South Tyneside	896,022
Southampton	1,073,738
Southend-on-Sea	778,276
Southwark	1,998,237
Spelthorne	304,429
St Albans	316,640
St Helens	773,580
Stafford	309,359
Staffordshire Moorlands	191,532
Stevenage	388,610
Stockport	900,453
Stockton-on-Tees	811,331
Stoke-on-Trent	1,209,839
Stratford-on-Avon	282,801
Stroud	267,802
Sunderland	1,542,425
Surrey Heath	183,108
Sutton	658,847



<i>Local authority</i>	<i>Administration subsidy (£)</i>
Swale	538,119
Swindon	619,143
Tameside	1,020,954
Tamworth	238,717
Tandridge	213,328
Teignbridge	399,171
Telford and Wrekin	837,745
Tendring	643,002
Test Valley	298,955
Tewkesbury	211,436
Thanet	667,732
Three Rivers	234,054
Thurrock	593,317
Tonbridge and Malling	363,586
Torbay	682,791
Torridge	209,593
Tower Hamlets	2,462,720
Trafford	640,441
Tunbridge Wells	344,142
Uttlesford	160,989
Vale of White Horse	284,228
Wakefield	1,524,872
Walsall	1,350,416
Waltham Forest	1,569,524
Wandsworth	1,769,397
Warrington	551,767
Warwick	339,882
Watford	367,221
Waverley	286,654
Wealden	326,348
Wellingborough	280,662
Welwyn Hatfield	402,730
West Berkshire	384,977
West Devon	160,620

**Status:** Point in time view as at 31/10/2021.**Changes to legislation:** There are currently no known outstanding effects for the The Income-related Benefits (Subsidy to Authorities) Order 1998. (See end of Document for details)

<i>Local authority</i>	<i>Administration subsidy (£)</i>
West Lancashire	311,943
West Lindsey	288,215
West Oxfordshire	232,285
West Suffolk	473,808
Westminster	1,746,386
Wigan	1,138,087
Wiltshire	1,175,037
Winchester	285,762
Windsor and Maidenhead	353,683
Wirral	1,417,662
Woking	285,746
Wokingham	236,008
Wolverhampton	1,250,377
Worcester	372,266
Worthing	363,429
Wychavon	339,607
Wyre	382,904
Wyre Forest	374,674
York	451,599
<b>Wales</b>	
Blaenau Gwent	375,401
Bridgend	575,185
Caerphilly	772,229
Cardiff	1,601,197
Carmarthenshire	689,691
Ceredigion	250,219
Conwy	445,307
Denbighshire	412,484
Flintshire	443,870
Gwynedd	428,082
Isle of Anglesey	263,940
Merthyr Tydfil	284,129

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Monmouthshire	245,948
Neath Port Talbot	651,792
Newport	658,481
Pembrokeshire	455,190
Powys	383,211
Rhondda Cynon Taf	1,029,971
Swansea	1,004,909
Torfaen	408,377
Vale of Glamorgan	450,890
Wrexham	516,502
<b>Scotland</b>	
Aberdeen	806,471
Aberdeenshire	578,920
Angus	394,561
Argyll and Bute	319,608
Clackmannanshire	237,246
Comhairle nan Eilean Siar	97,955
Dumfries and Galloway	618,203
Dundee	880,566
East Ayrshire	550,467
East Dunbartonshire	229,933
East Lothian	323,403
East Renfrewshire	197,963
Edinburgh	2,061,389
Falkirk	597,958
Fife	1,425,345
Glasgow	4,771,508
Highland	703,350
Inverclyde	415,797
Midlothian	314,341
Moray	270,772
North Ayrshire	736,746

**Status:** Point in time view as at 31/10/2021.

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

<i>Local authority</i>	<i>Administration subsidy (£)</i>
North Lanarkshire	1,576,864
Orkney	68,443
Perth and Kinross	429,178
Renfrewshire	872,491
Scottish Borders	421,135
Shetland	59,401
South Ayrshire	471,229
South Lanarkshire	1,214,242
Stirling	261,496
West Dunbartonshire	645,451
West Lothian	746,375]

<sup>F2</sup>SCHEDULE 1A

Article 12(1)(c)

.....

**Textual Amendments**  
**F2** Sch. 1A omitted (26.10.2017) by virtue of [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2017 \(S.I. 2017/900\)](#), **art. 2(5)**, reg. 1

SCHEDULE 1ZA

Article 12(1)(ba)

Additional amount of subsidy: Right Benefit Initiative

<sup>F3</sup> .....

**Textual Amendments**  
**F3** Sch. 1ZA omitted (with effect in accordance with art. 1(4) of the amending S.I.) by virtue of [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2018 \(S.I. 2018/985\)](#), arts. 1(1), **3(4)**

[<sup>F4</sup>SCHEDULE 1ZB

Article 12(1)(bza)

Additional amount of subsidy: Verify Earnings and Pension Alerts Service

**Textual Amendments**

- F4** Sch. 1ZB substituted (with effect in accordance with art. 1(3) of the amending S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2019 \(S.I. 2019/1243\)](#), art. 1(1), **Sch. 2**

**Interpretation**

1. In this Schedule—

“relevant activities” means activities carried out by authorities receiving VEP alerts to administer those alerts;

“VEP alerts” means alerts given by the Secretary of State enabling authorities to identify changes in earnings and pensions so as to help prevent fraud and error relating to housing benefit.

[<sup>F5</sup>**Additional amount: relevant year beginning with 1st April 2021**

2. The additional amount of subsidy for an authority for the relevant year beginning with 1st April 2021 is the amount specified for that authority in the Housing Benefit Circular HB S6/2021 published by the Department for Work and Pensions on 19th April 2021.]

**Textual Amendments**

- F5** Sch. 1ZB para. 2 substituted (with effect in accordance with art. 2(4) of the amending S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) and Discretionary Housing Payments \(Grants\) Amendment Order 2021 \(S.I. 2021/1031\)](#), arts. 1(1), **6**

**Use of amount paid under paragraph 2**

3. An authority must use the additional amount received under paragraph 2 in connection with relevant activities.]

[<sup>F6</sup>SCHEDULE 1ZC

Article 12(1)(bzb)

Additional amount of subsidy: Housing Benefit Award Accuracy Initiative

**Textual Amendments**

- F6** Sch. 1ZC inserted (with effect in accordance with art. 2(2)(5) of the amending S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) and Discretionary Housing Payments \(Grants\) Amendment Order 2021 \(S.I. 2021/1031\)](#), art. 1(1), **Sch. 2**

**Interpretation**

1. In this Schedule—

**Status:** Point in time view as at 31/10/2021.

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

“HBAAI” means the Housing Benefit Award Accuracy Initiative set out in Housing Benefit Circular HB A9/2020 published by the Department for Work and Pensions on 7th August 2020; “relevant activities” means activities carried out by authorities in connection with administering the HBAAI.

**Additional amount: relevant year beginning with 1st April 2020**

2. The additional amount of subsidy for an authority for the relevant year beginning with 1st April 2020 is the amount (if any) specified for that authority in the Housing Benefit Circular HB S8/2020 published by the Department for Work and Pensions on 2nd November 2020.

**Use of amount paid under paragraph 2**

3. An authority must use any additional amount received under paragraph 2 in connection with relevant activities.]

F7 SCHEDULE 2

Article 12(b)

.....

**Textual Amendments**  
F7 Sch. 2 omitted (with effect in accordance with art. 1(2) of the commencing S.I.) by virtue of [Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2006 \(S.I. 2006/54\)](#) , arts. 1(1) , **4(2)**

F8 SCHEDULE 3

Article 13(3)

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**Textual Amendments**  
F8 Sch. 3 omitted (with effect in accordance with art. 1(2) of the commencing S.I.) by virtue of [Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2006 \(S.I. 2006/54\)](#) , arts. 1(1) , **4(3)**

SCHEDULE 4

Articles 13(1) and 16

HIGH RENTS AND RENT ALLOWANCES

F9 PART I

REGULATED TENANCIES

.....

**Textual Amendments**

- F9** Sch. 4 Pt. I omitted (with effect in accordance with art. 1(2) of the commencing S.I.) by virtue of [Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2006 \(S.I. 2006/54\)](#) , arts. 1(1) , **4(4)(a)**

## PART II

### RENT OFFICERS' DETERMINATIONS

#### Calculation of the appropriate amount

2. The appropriate amount, in a case to which this Part applies, in respect of that part of the qualifying expenditure which is attributable to allowances granted for the period beginning on the relevant date and ending on the termination date, shall be calculated in accordance with [<sup>F10</sup>paragraph 6, 7, 8 or 9] as appropriate.

**Textual Amendments**

- F10** Words in Sch. 4 para. 2 substituted (with effect in accordance with art. 1(3) of the commencing S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2011 \(S.I. 2011/2957\)](#) , arts. 1(1) , **5(2)**

#### Rent officers' determinations

3. Except in a case to which Part III applies, this Part applies where an authority applies to a rent officer for a determination to be made under the Rent Officers Order or the Rent Officers Order 1995 in relation to a dwelling and the officer makes such a determination.

4. This Part also applies in a case where the dwelling A is in a hostel and, by virtue of [<sup>F11</sup>regulation 14(4) of the Housing Benefit Regulations or, as the case may be, regulation 14(4) of the Housing Benefit (State Pension Credit) Regulations] (exemptions from requirement to refer to rent officers), an application for a determination in respect of that dwelling A is not required, because the dwelling is regarded as similar to dwelling B in that hostel in respect of which a determination has been made, and in such a case the determination made in respect of dwelling B shall, for the purposes of this Part, be treated as if it were a determination in respect of dwelling A.

**Textual Amendments**

- F11** Words in Sch. 4 para. 4 substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#) , reg. 1(1) , **Sch. 2 para. 13(10)(a)** (with regs. 2 , 3 , Schs. 3 , Sch. 4 )

5. This Part also applies in a case where a rent officer has made a determination in respect of a tenancy of a dwelling and by virtue of [<sup>F12</sup>paragraph 2 of Schedule 2 to the Housing Benefit Regulations or, as the case may be, paragraph 2 of Schedule 2 to the Housing Benefit (State Pension Credit) Regulations] (cases with existing determinations) a new determination is not required in respect of another tenancy of the dwelling and in such a case the determination made shall, for the purposes of this Part, be treated as if it were a determination made in respect of that tenancy.

**Status:** Point in time view as at 31/10/2021.

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

#### Textual Amendments

- F12** Words in Sch. 4 para. 5 substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), reg. 1(1), **Sch. 2 para. 13(10)(b)** (with regs. 2, 3, Schs. 3, Sch. 4)

[<sup>F13</sup>6. Except where paragraph 5 applies, this Part also applies in a case where an authority is required under [<sup>F14</sup>regulation 14 of the Housing Benefit Regulations or, as the case may be, regulation 14 of the Housing Benefit (State Pension Credit) Regulations] (requirement to refer to rent officer) to apply for a determination in relation to a dwelling, but the appropriate amount shall be nil if the authority fails to apply for that determination—

- (a) during the relevant year; or
- (b) as soon as possible thereafter but before the date of the due date for the submission of the final subsidy claim for the relevant year.]

#### Textual Amendments

- F13** Sch. 4 para. 6 substituted (with effect in accordance with art. 1(2) of the commencing S.I.) by [Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2006 \(S.I. 2006/54\)](#), arts. 1(1), **4(4)(b)**
- F14** Words in Sch. 4 para. 6 substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), reg. 1(1), **Sch. 2 para. 13(10)(c)** (with regs. 2, 3, Schs. 3, Sch. 4)

#### [<sup>F15</sup> Rent officers' property-specific rent and claim-related rent

7. Where the rent officer either—
- (a) determines a property-specific rent but not a size-related rent and the amount of eligible rent does not exceed the property-specific rent less ineligible amounts, or
  - (b) determines a claim-related rent and the amount of eligible rent does not exceed <sup>F16</sup>... the claim-related rent <sup>F17</sup>..., less ineligible amounts,

the appropriate amount in respect of the period beginning with the relevant date and ending with the termination date shall be [<sup>F18</sup>100 per cent] of that part of the qualifying expenditure attributable to the eligible rent.]

#### Textual Amendments

- F15** Sch. 4 para. 7 substituted (25.7.2001) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2001 \(S.I. 2001/2350\)](#), arts. 1(1), **7(2)**
- F16** Words in Sch. 4 para. 7(b) omitted (31.10.2021) by virtue of [The Income-related Benefits \(Subsidy to Authorities\) and Discretionary Housing Payments \(Grants\) Amendment Order 2021 \(S.I. 2021/1031\)](#), art. 1(1), **Sch. 5 para. 14(a)**
- F17** Words in Sch. 4 para. 7(b) omitted (31.10.2021) by virtue of [The Income-related Benefits \(Subsidy to Authorities\) and Discretionary Housing Payments \(Grants\) Amendment Order 2021 \(S.I. 2021/1031\)](#), art. 1(1), **Sch. 5 para. 14(b)**
- F18** Words in Sch. 4 para. 7 substituted (with effect in accordance with art. 1(2) of the commencing S.I.) by [Income-related Benefits \(Subsidy to Authorities\) \(Miscellaneous Amendments and Electronic Communications\) Order 2007 \(S.I. 2007/26\)](#), arts. 1(1), **4(2)(a)**



8.—<sup>F19</sup>(1) Where the rent officer either—

- (a) determines a property-specific rent but not a size-related rent and the amount of eligible rent exceeds the property-specific rent less ineligible amounts, or
- (b) determines a claim-related rent and the amount of eligible rent exceeds <sup>F20</sup>... the claim-related rent <sup>F21</sup>..., less ineligible amounts,

then, for the period beginning with the relevant date and ending with the termination date, the appropriate amount shall be determined in accordance with sub-paragraph (2) or (3), as the case may be.]

(2) Where the allowance granted is the same as or is less than the excess—

- (a) except in a case to which paragraph 10 applies, the appropriate amount shall be nil;
- (b) where paragraph 10 applies, the appropriate amount shall be 60 per cent. of the qualifying expenditure attributable to such allowance.

(3) Where the allowance granted is greater than the excess the appropriate amount shall be

- (a) except where paragraph 10 applies, nil per cent. of the qualifying expenditure which is equal to the excess;
- (b) where paragraph 10 applies, 60 per cent. of the qualifying expenditure which is equal to the excess,

together with [<sup>F22</sup>100 per cent]. of the qualifying expenditure which remains after deducting the excess.

#### Textual Amendments

- F19** Sch. 4 para. 8(1) substituted (25.7.2001) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2001 \(S.I. 2001/2350\)](#) , arts. 1(1) , **7(3)**
- F20** Words in Sch. 4 para. 8(b) omitted (31.10.2021) by virtue of [The Income-related Benefits \(Subsidy to Authorities\) and Discretionary Housing Payments \(Grants\) Amendment Order 2021 \(S.I. 2021/1031\)](#) , art. 1(1), **Sch. 5 para. 14(a)**
- F21** Words in Sch. 4 para. 8(b) omitted (31.10.2021) by virtue of [The Income-related Benefits \(Subsidy to Authorities\) and Discretionary Housing Payments \(Grants\) Amendment Order 2021 \(S.I. 2021/1031\)](#) , art. 1(1), **Sch. 5 para. 14(b)**
- F22** Words in Sch. 4 para. 8(3) substituted (with effect in accordance with art. 1(2) of the commencing S.I.) by [Income-related Benefits \(Subsidy to Authorities\) \(Miscellaneous Amendments and Electronic Communications\) Order 2007 \(S.I. 2007/26\)](#) , arts. 1(1) , **4(2)(a)**

#### Rent officers' property-specific and size-related rents

9.—(1) Where the rent officer makes a determination that the dwelling exceeds the size criteria for its occupiers and determines both a property-specific rent and a size-related rent for that dwelling, the appropriate amount in respect of the period beginning on the relevant date and ending on the termination date shall be the appropriate amounts determined in accordance with the relevant sub-paragraphs of this paragraph.

(2) Where the eligible rent does not exceed the designated rent, less ineligible amounts, the appropriate amount shall be [<sup>F23</sup>100 per cent]. of that part of the qualifying expenditure attributable to the eligible rent.

(3) For the period of 13 weeks beginning on the relevant date or, if shorter, for the period beginning on that date and ending on the termination date, if the amount of the eligible rent does not

**Status:** Point in time view as at 31/10/2021.

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

exceed the property-specific rent less ineligible amounts, the appropriate amount shall be [<sup>F23</sup>100 per cent]. of that part of the qualifying expenditure attributable to the eligible rent.

(4) For the period of 13 weeks beginning on the relevant date or, if shorter, for the period beginning on that date and ending on the termination date, if the amount of the eligible rent exceeds the property-specific rent less ineligible amounts—

- (a) where the allowance is the same as or is less than the excess—
  - (i) except in a case to which paragraph 10 applies, the appropriate amount shall be nil;
  - (ii) where paragraph 10 applies, the appropriate amount shall be 60 per cent. of the qualifying expenditure attributable to such allowance;
- (b) where the allowance granted is greater than the excess the appropriate amount shall be—
  - (i) except where paragraph 10 applies, nil per cent. of the qualifying expenditure which is equal to the excess;
  - (ii) where paragraph 10 applies, 60 per cent. of the qualifying expenditure which is equal to the excess,

and in either case [<sup>F23</sup>100 per cent]. of the qualifying expenditure which remains after deducting the excess.

(5) For the period after the end of that 13 week period, if the amount of the eligible rent exceeds the designated rent less ineligible amounts—

- (a) where the allowance is the same as or is less than the excess—
  - (i) except in a case to which paragraph 10 applies, the appropriate amount shall be nil;
  - (ii) where paragraph 10 applies, the appropriate amount shall be 60 per cent. of the qualifying expenditure attributable to such allowance;
- (b) where the allowance granted is greater than the excess the appropriate amount shall be—
  - (i) except where paragraph 10 applies, nil per cent. of the qualifying expenditure which is equal to the excess;
  - (ii) where paragraph 10 applies, 60 per cent. of the qualifying expenditure which is equal to the excess,

and in either case [<sup>F23</sup>100 per cent]. of the qualifying expenditure which remains after deducting the excess.

[<sup>F24</sup>(6) This paragraph does not apply where a rent officer determines a claim-related rent.]

#### Textual Amendments

**F23** Words in Sch. 4 para. 9(2)-(5) substituted (with effect in accordance with art. 1(2) of the commencing S.I.) by [Income-related Benefits \(Subsidy to Authorities\) \(Miscellaneous Amendments and Electronic Communications\) Order 2007 \(S.I. 2007/26\)](#) , arts. 1(1) , **4(2)(a)**

**F24** Sch. 4 para. 9(6) added (25.7.2001) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2001 \(S.I. 2001/2350\)](#) , arts. 1(1) , **7(4)**

#### Restriction on unreasonable rents or on rent increases

**10.** This paragraph applies where an authority has been unable to treat a person's eligible rent as reduced by reason of regulation 11(3), (3A) <sup>M1</sup>, (4), as in force on 1st January 1996, or 12(2) <sup>M2</sup> of the [<sup>F25</sup>Housing Benefit (General) Regulations 1987] (restrictions on unreasonable rents or rent increases) <sup>M3</sup>, as in force on 5th October 1997.

**Status:** Point in time view as at 31/10/2021.

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

**Textual Amendments**

**F25** Words in Sch. 4 para. 10 substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#) , reg. 1(1) , **Sch. 2 para. 13(10)(e)** (with regs. 2 , 3 , Schs. 3 , Sch. 4 )

**Marginal Citations**

**M1** Paragraph (3A) was added by regulation 2(c) of [S.I. 1989/566](#) .

**M2** Paragraph (2) was added by regulation 3(b) of [S.I. 1989/566](#) .

**M3** Regulation 11 was revoked and replaced by [S.I. 1995/1644](#) from 2nd January 1996 and regulation 12 was omitted by [S.I. 1997/852](#) , but the earlier regulations continue in force for certain claimants by regulation 10 of [S.I. 1995/1644](#) and regulation 4(3) of [S.I. 1997/852](#) .

**Payments on account of rent allowance**

<sup>F26</sup>**11.** . . . . .

**Textual Amendments**

**F26** Sch. 4 para. 11 omitted (with effect in accordance with art. 1(3) of the commencing S.I.) by virtue of [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2011 \(S.I. 2011/2957\)](#) , arts. 1(1) , **5(3)**

**Relevant date**

**12.** For the purposes of this Part—

- (a) in a case where a claim for rent allowance is made on or after 1st April in the relevant year, the relevant date is the date on which entitlement to benefit commences;
- (b) in a case where, on 1st April in the relevant year, there is current on that date both a claim for an allowance in relation to the dwelling and a rent officer’s determination in relation to that dwelling, the relevant date is that day and for this purpose a rent officer’s determination includes a determination, further determination or re-determination made under the Rent Officers Order or the Rent Officers Order 1995, as the case may be, save that, where a determination had not taken effect by 31st March of the year immediately preceding the relevant year, the relevant date will be 13 weeks after the relevant date determined under the 1997 Order, or, in a relevant year commencing on or after 1st April 1998, the relevant date determined for the year immediately preceding that relevant year;
- (c) in a case where, during the relevant year—
  - (i) there has been a change relating to a rent allowance within the meaning of [<sup>F27</sup>regulation 14(10) of the Housing Benefit Regulations or, as the case may be, regulation 14(10) of the Housing Benefit (State Pension Credit) Regulations]; and
  - (ii) by virtue of [<sup>F28</sup>regulation 14 of the Housing Benefit Regulations or, as the case may be, regulation 14 of the Housing Benefit (State Pension Credit) Regulations] (requirement to refer to rent officer) an application for a determination in respect of that dwelling is required,

the relevant date is the date on which the relevant change of circumstances takes effect for the purposes of [<sup>F29</sup>regulation 79 of the Housing Benefit Regulations or, as the case may be, regulation 59 of the Housing Benefit (State Pension Credit) Regulations] (date on

**Status:** Point in time view as at 31/10/2021.

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which change of circumstances is to take effect) or, if the relevant change of circumstances does not affect entitlement to an allowance, the Monday following the date on which the relevant change occurred;

- (d) in a case where, prior to any rent officer determination being notified to the authority, the authority determines a rent allowance on a claim in respect of a dwelling, the relevant date is—
- (i) if the designated rent less ineligible amounts determined under the determination eventually notified by the rent officer is higher than or equal to the eligible rent determined by the authority in relation to that dwelling, the date determined under the foregoing sub-paragraphs of this paragraph as appropriate;
  - (ii) if the designated rent less ineligible amounts is lower than the eligible rent determined by the authority but that eligible rent is equal to or more than the appropriate indicative rent level for that dwelling, the Monday following the date on which the determination is made by the rent officer;
  - (iii) if the designated rent less ineligible amounts is lower than the eligible rent determined by the authority in relation to that dwelling, the Monday following the date on which the determination is made by the rent officer and, in so far as the eligible rent determined by the authority in relation to that dwelling was in excess of the appropriate indicative rent level for that dwelling, paragraph 7 shall apply to that excess;
- [<sup>F30</sup>(e) in a case where the rent officer has made a re-determination, substitute determination or substitute re-determination, the relevant date is—
- (i) if the designated rent determination under the re-determination, substitute determination or substitute re-determination is higher than or equal to the amount determined under the original determination, the date determined under the foregoing sub-paragraphs of this paragraph as appropriate;
  - (ii) if the designated rent determination under the re-determination, substitute determination or substitute re-determination is lower than the amount determined under the original determination, the Monday following the date on which the re-determination, substitute determination or substitute re-determination is made by the rent officer.]

#### Textual Amendments

- F27** Words in Sch. 4 para. 12(c)(i) substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#) , reg. 1(1) , **Sch. 2 para. 13(10)(g)(i)** (with regs. 2 , 3 , Schs. 3 , Sch. 4 )
- F28** Words in Sch. 4 para. 12(c)(ii) substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#) , reg. 1(1) , **Sch. 2 para. 13(10)(g)(ii)** (with regs. 2 , 3 , Schs. 3 , Sch. 4 )
- F29** Words in Sch. 4 para. 12(c) substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#) , reg. 1(1) , **Sch. 2 para. 13(10)(g)(iii)** (with regs. 2 , 3 , Schs. 3 , Sch. 4 )
- F30** Sch. 4 para. 12(e) substituted (25.7.2001) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2001 \(S.I. 2001/2350\)](#) , arts. 1(1) , **7(5)**

#### Termination date

- 13.** For the purposes of this Part “termination date” means—

**Status:** Point in time view as at 31/10/2021.

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

- (a) 31st March in the relevant year; or
  - (b) where the rent officer's determination replaces a determination made in relation to the same dwelling, the day before the relevant date of the new determination by the rent officer in relation to the same dwelling as defined by paragraph 12; or
  - (c) the date on which the allowance ceases to be paid in respect of the tenancy,
- whichever is the earlier date in the relevant year.

## PART III

### RECKONABLE RENT CASES

<sup>F31</sup>14. ....

#### Textual Amendments

**F31** Sch. 4 para. 14 omitted (with effect in accordance with art. 1(2) of the commencing S.I.) by virtue of [Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2006 \(S.I. 2006/54\)](#) , arts. 1(1) , **4(4)(c)**

**15.** In a case where article 16(4)(c) applies, the appropriate amount shall be, for the period of 13 weeks prescribed in [<sup>F32</sup>regulation 13(14) of the Housing Benefit Regulations or, as the case may be, regulation 13(14) of the Housing Benefit (State Pension Credit) Regulations], [<sup>F33</sup>100 per cent]. of the eligible rent less ineligible amounts.

#### Textual Amendments

**F32** Words in Sch. 4 para. 15 substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#) , reg. 1(1) , **Sch. 2 para. 13(10)(h)** (with regs. 2 , 3 , Schs. 3 , Sch. 4 )

**F33** Words in Sch. 4 para. 15 substituted (with effect in accordance with art. 1(2) of the commencing S.I.) by [Income-related Benefits \(Subsidy to Authorities\) \(Miscellaneous Amendments and Electronic Communications\) Order 2007 \(S.I. 2007/26\)](#) , arts. 1(1) , **4(2)(b)**

## PART IV

### GENERAL AND INTERPRETATION

#### Apportionment

**16.** For the purposes of this Schedule, where more than one person is liable to make payments in respect of a dwelling the designated rent shall be apportioned on the same basis as such payments are apportioned under [<sup>F34</sup>regulation 12(5) of the Housing Benefit Regulations or, as the case may be, regulation 12(5) of the Housing Benefit (State Pension Credit) Regulations] (rent).

**Status:** Point in time view as at 31/10/2021.

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

### Textual Amendments

**F34** Words in Sch. 4 para. 16 substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#) , reg. 1(1) , **Sch. 2 para. 13(10)(i)** (with regs. 2 , 3 , Schs. 3 , Sch. 4 )

### Interpretation

17.—(1) In this Schedule, unless the context otherwise requires—

“appropriate indicative rent level” means the indicative rent level for the category of dwelling into which the dwelling in question falls, as described in paragraph 11 of Schedule 1 to the Rent Officers Order or paragraph 9 of Schedule 1 to the Rent Officers Order 1995, as the case may be, except that, where a payment on account is made to a young individual, the category of dwelling shall be that within head (b) of paragraph 9(3) of that Schedule, less, in the case of a dwelling falling within that head or head (a) of that paragraph, any amount ineligible to be met under [<sup>F35</sup>paragraph 2 of Part 1 of Schedule 1 to the Housing Benefit Regulations or, as the case may be, paragraph 2 of Part 1 of Schedule 1 to the Housing Benefit (State Pension Credit) Regulations] (meal <sup>F36</sup>... charges);

[<sup>F37</sup>“claim-related rent” means the rent notified by the rent officer under paragraph 9(1) of Schedule 1 to the Rent Officers (Housing Benefit Functions) Order 1997 or, as the case may be, the Rent Officers (Housing Benefit Functions) (Scotland) Order 1997;]

“designated rent” means—

- (a) in a case where a rent officer has determined both a property-specific rent and a size-related rent, whichever is the lower of the two;
- (b) in a case where a rent officer has determined only a property-specific rent or a size-related rent, as the case may be, that rent;
- (c) [<sup>F38</sup>in a case where a rent officer has determined a claim-related rent, that rent;]

[<sup>F39</sup>“ineligible amounts” means—

- (a) in a case where the rent officer has determined a claim-related rent—
  - (i) any amount in respect of amounts ineligible to be met by housing benefit under [<sup>F40</sup>paragraph 2 of Part 1 of Schedule 1 to the Housing Benefit Regulations or, as the case may be, paragraph 2 of Part 1 of Schedule 1 to the Housing Benefit (State Pension Credit) Regulations] (amounts ineligible for meals);
  - (ii) [<sup>F41</sup>where the dwelling is a hostel as defined in regulation 2(1) of the Housing Benefit Regulations or, as the case may be, regulation 2(1) of the Housing Benefit (State Pension Credit) Regulations (interpretation), any amount ineligible to be met by housing benefit under (as the case may be)—
    - (aa) paragraph 1 of Schedule 1 to the Housing Benefit Regulations (ineligible service charges), other than sub-paragraphs (d) to (f) of that paragraph; or
    - (bb) paragraph 1 of Schedule 1 to the Housing Benefit (State Pension Credit) Regulations (ineligible service charges), other than sub-paragraphs (d) to (f) of that paragraph;]
- (b) in any other case, except as provided in the definition of “property-specific rent less ineligible amounts” below,—
  - (i) any amount which the rent officer determines is attributable to the provision of services ineligible to be met by housing benefit, plus the amount in respect of fuel

**Status:** Point in time view as at 31/10/2021.

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

charges ineligible to be met [<sup>F42</sup>under Part 2 of Schedule 1 to the Housing Benefit Regulations or, as the case may be, Part 2 of Schedule 1 to the Housing Benefit (State Pension Credit) Regulations] (payments in respect of fuel charges);

- (ii) any amount in respect of amounts ineligible to be met by housing benefit under [<sup>F43</sup>paragraph 2 of Schedule 1 to the Housing Benefit Regulations or, as the case may be, paragraph 2 of Schedule 1 to the Housing Benefit (State Pension Credit) Regulations] (amounts ineligible for meals);
- (iii) where the dwelling is in a hostel as defined in regulation 2 of the Housing Benefit Regulations (interpretation), any amount ineligible to be met by housing benefit under [<sup>F44</sup>paragraph 1 of Schedule 1 to those Regulations or, as the case may be, paragraph 1 of Schedule 1 to the Housing Benefit (State Pension Credit) Regulations (ineligible service charges), other than sub-paragraphs (d) to (f) of those paragraphs].]

“property-specific rent”, except as provided in the definition of “property-specific rent less ineligible amounts” below, means the rent determined by a rent officer under paragraph 1(2) of Schedule 1 to the Rent Officers Order or to the Rent Officers Order 1995, as the case may be, except in a case where a rent officer has made a rent determination under paragraph 3 of that Schedule, when it means that rent;

“property-specific rent less ineligible amounts” has the meaning otherwise ascribed to those terms in this paragraph, except, subject to article 23(1), in a case where the property-specific rent is an exceptionally high rent and the rent officer has notified the authority that the exceptionally high rent determined by him does not include a payment ineligible for housing benefit under [<sup>F45</sup>paragraph 1(a)(i) or paragraph 5 of Schedule 1 to the Housing Benefit Regulations or, as the case may be, paragraph 1(a)(i) or paragraph 5 of Schedule 1 to the Housing Benefit (State Pension Credit) Regulations] (ineligible service charges for food and fuel), as the case may be (“ineligible payments”), when it means that exceptionally high rent less ineligible amounts other than ineligible payments;

“size-related rent” means the rent determined by a rent officer under paragraph 2(2) of Schedule 1 to the Rent Officers Order or the Rent Officers Order 1995, as the case may be,

and other expressions used both in this Schedule and in the Rent Officers Order or the Rent Officers Order 1995, as the case may be, or in both this Schedule [<sup>F46</sup>and (as the case may be) in regulation 13 of the Housing Benefit Regulations or regulation 13 of the Housing Benefit (State Pension Credit) Regulations] shall have the same meanings in this Schedule as they have in that Order or in that regulation, as the case may be.

(2) Except in a case to which sub-paragraph (3) applies, in this Schedule any reference to a rent officer’s determination is, in any case where there has been more than one such determination, a reference to the last such determination.

(3) In a case where the last determination referred to in sub-paragraph (2) was made on the basis of—

- (a) the terms of the tenancy of a dwelling; or
- (b) the size or composition of the household occupying that dwelling,

which were not appropriate to the claim for a rent allowance in respect of which the allowance was granted, any reference to a rent officer’s determination is to the last such determination which was appropriate to that claim.



**Status:** Point in time view as at 31/10/2021.

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

### Textual Amendments

- F35** Words in Sch. 4 para. 17(1) substituted (6.3.2006) by The Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006 (S.I. 2006/217), reg. 1(1), **Sch. 2 para. 13(10)(j)(i)** (with regs. 2, 3, Schs. 3, Sch. 4)
- F36** Words in Sch. 4 para. 17 omitted (25.7.2001) by virtue of The Income-related Benefits (Subsidy to Authorities) Amendment Order 2001 (S.I. 2001/2350), arts. 1(1), **7(6)(a)**
- F37** Words in Sch. 4 para. 17 inserted (25.7.2001) by The Income-related Benefits (Subsidy to Authorities) Amendment Order 2001 (S.I. 2001/2350), arts. 1(1), **7(6)(b)**
- F38** Words in Sch. 4 para. 17 added (25.7.2001) by The Income-related Benefits (Subsidy to Authorities) Amendment Order 2001 (S.I. 2001/2350), arts. 1(1), **7(6)(c)**
- F39** Words in Sch. 4 para. 17 substituted (25.7.2001) by The Income-related Benefits (Subsidy to Authorities) Amendment Order 2001 (S.I. 2001/2350), arts. 1(1), **7(6)(d)**
- F40** Words in Sch. 4 para. 17(1) substituted (6.3.2006) by The Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006 (S.I. 2006/217), reg. 1(1), **Sch. 2 para. 13(10)(aa)**Sch. 2 para. 13(10)(j)(ii) (with regs. 2, 3, Schs. 3, Sch. 4)
- F41** Words in Sch. 4 para. 17(1) substituted (6.3.2006) by The Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006 (S.I. 2006/217), reg. 1(1), **Sch. 2 para. 13(10)(bb)**Sch. 2 para. 13(10)(j)(ii) (with regs. 2, 3, Schs. 3, Sch. 4)
- F42** Words in Sch. 4 para. 17(1) substituted (6.3.2006) by The Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006 (S.I. 2006/217), reg. 1(1), **Sch. 2 para. 13(10)(cc)**Sch. 2 para. 13(10)(j)(ii) (with regs. 2, 3, Schs. 3, Sch. 4)
- F43** Words in Sch. 4 para. 17(1) substituted (6.3.2006) by The Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006 (S.I. 2006/217), reg. 1(1), **Sch. 2 para. 13(10)(dd)**Sch. 2 para. 13(10)(j)(ii) (with regs. 2, 3, Schs. 3, Sch. 4)
- F44** Words in Sch. 4 para. 17(1) substituted (6.3.2006) by The Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006 (S.I. 2006/217), reg. 1(1), **Sch. 2 para. 13(10)(ee)**Sch. 2 para. 13(10)(j)(ii) (with regs. 2, 3, Schs. 3, Sch. 4)
- F45** Words in Sch. 4 para. 17(1) substituted (6.3.2006) by The Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006 (S.I. 2006/217), reg. 1(1), **Sch. 2 para. 13(10)(j)(iii)** (with regs. 2, 3, Schs. 3, Sch. 4)
- F46** Words in Sch. 4 para. 17(1) substituted (6.3.2006) by The Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006 (S.I. 2006/217), reg. 1(1), **Sch. 2 para. 13(10)(j)(iv)** (with regs. 2, 3, Schs. 3, Sch. 4)

## [<sup>F47</sup>PART V

### THRESHOLD ABOVE WHICH REDUCED SUBSIDY IS PAYABLE ON RENT ALLOWANCES

### Textual Amendments

- F47** Sch. 4 Pt. V substituted (2.1.2004, 2.1.2004 with effect in accordance with art. 1(2)) by Income-related Benefits (Subsidy to Authorities) Amendment Order 2003 (S.I. 2003/3179), arts. 1(1), 11, **Schs. 2**

**18.** The Table referred to in paragraph 1 is—



(1) <i>Threshold (weekly sum)</i>	(2) <i>Rent Registration Area (£)</i>
<b>ENGLAND</b>	
Avon	169.06
Barking & Dagenham	173.53
Barnet	228.90
Bedfordshire	93.92
Berkshire	176.00
Bexley	183.83
Brent	201.33
Bromley	206.83
Buckinghamshire	214.25
Cambridgeshire	96.04
Camden	258.22
Cheshire	192.69
City	257.93
Cleveland	123.96
Cornwall	152.47
Croydon	210.30
Cumbria	148.07
Derbyshire	109.04
Devon	159.42
Dorset	161.43
Durham	120.78
Ealing	201.31
East Sussex	243.14
Enfield	171.21
Essex	112.27
Gloucestershire	150.23
Greater Manchester	166.32
Greenwich	184.28
Hackney	168.29
Hammersmith and Fulham	198.12
Hampshire	229.91
Haringey	190.26

**Status:** Point in time view as at 31/10/2021.**Changes to legislation:** There are currently no known outstanding effects for the The Income-related Benefits (Subsidy to Authorities) Order 1998. (See end of Document for details)

(1) <i>Threshold (weekly sum)</i>	(2) <i>Rent Registration Area (£)</i>
Harrow	212.68
Havering	172.24
Hereford and Worcester	171.24
Hertfordshire	123.15
Hillingdon	182.32
Hounslow	204.37
Humberside	100.85
Isle of Wight	196.27
Islington	196.67
Kensington and Chelsea	246.89
Kent	236.29
Kingston upon Thames	252.06
Lambeth	162.14
Lancashire	167.71
Leicestershire	124.72
Lewisham	150.72
Lincolnshire	114.45
Merseyside	183.43
Merton	223.17
Newham	163.27
Norfolk	85.12
North Yorkshire	120.36
Northamptonshire	134.38
Northumberland	118.67
Nottinghamshire	132.56
Oxfordshire	259.00
Redbridge	164.61
Richmond upon Thames	252.06
Shropshire	163.64
Somerset	151.91
South Yorkshire	90.46
Southwark	174.93
Staffordshire	153.70

(1) <i>Threshold (weekly sum)</i>	(2) <i>Rent Registration Area (£)</i>
Suffolk	87.52
Surrey	285.52
Sutton	191.01
Tower Hamlets	181.82
Tyne & Wear	113.32
Waltham Forest	140.88
Wandsworth	221.47
Warwickshire	164.56
West Midlands	161.13
West Sussex	249.11
West Yorkshire	100.63
Westminster	257.93
Wiltshire	156.85
<b>WALES</b>	
Clwyd	87.91
Dyfed	77.40
Gwent	85.12
Gwynedd	78.89
Mid Glamorgan	90.05
Powys	86.11
South Glamorgan	100.64
West Glamorgan	86.67
<b>SCOTLAND</b>	
Aberdeen	116.83
Aberdeenshire	126.66
Angus	116.83
Argyll-Bute	107.61
Clackmannanshire	150.40
Comhairlie Nan Eilean Siar	172.53
Dumfries & Galloway	125.40
Dundee	116.83
East Ayrshire	103.93
East Dunbartonshire	133.48

**Status:** Point in time view as at 31/10/2021.

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

(1) <i>Threshold (weekly sum)</i>	(2) <i>Rent Registration Area (£)</i>
East Lothian	132.78
East Renfrewshire	180.26
Edinburgh, City of	132.78
Falkirk	117.91
Fife	116.83
Glasgow	103.93
Highland	114.79
Inverclyde	103.93
Midlothian	132.78
Moray	116.83
North Ayrshire	103.93
North Lanarkshire	103.93
Orkney	116.83
Perth & Kinross	124.08
Renfrewshire	103.93
Scottish Borders	132.78
Shetland	116.83
South Ayrshire	119.53
South Lanarkshire	103.93
Stirling	121.19
West Dunbartonshire	103.93
West Lothian	132.78]

[<sup>F48</sup>SCHEDULE 4A

Article 20A

RENT REBATE LIMITATION DEDUCTIONS (HOUSING  
REVENUE ACCOUNT DWELLINGS): AUTHORITIES IN WALES

**Textual Amendments**

**F48** Sch. 4A substituted (with effect in accordance with art. 2(3)(b)(5) of the amending S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) and Discretionary Housing Payments \(Grants\) Amendment Order 2021 \(S.I. 2021/1031\)](#), art. 1(1), **Sch. 3**

## Interpretation

### 1. In this Schedule—

“HRA” means the Housing Revenue Account of the authority the amount of whose subsidy is under consideration;

“rent”, in relation to a dwelling, means the total of the payments in respect of the dwelling specified in regulation 12(1) of the Housing Benefit Regulations or, as the case may be, regulation 12(1) of the Housing Benefit (State Pension Credit) Regulations, other than a payment specified in regulation 12(1)(e).

## Liability to deduction

### 2.—(1) This paragraph applies in relation to the relevant year if—

- (a) the authority is specified in the Table in paragraph 4 for that year; and
- (b)  $O + P$  is less than  $Q$  where—

$O$  is the amount specified in column 1 of that Table for the authority;

$P$  is the guideline rent increase specified in column 2 of that Table for the authority; and

$Q$  is the average weekly rent for a dwelling for the authority for the relevant year.

(2) For the purposes of determining  $Q$  in sub-paragraph (1)(b), the average weekly rent for a dwelling for the authority for the relevant year is calculated by dividing the total rent charged for all dwellings in the HRA in that year by the total number of weeks for which rent was charged for all dwellings in the HRA, disregarding any unoccupied dwelling.

## Amount of deduction

3.—(1) The amount of the deduction from subsidy referred to in article 20A(2) is to be calculated as follows—

Step 1 Divide the amount of rebates granted by the authority in the relevant year in respect of dwellings in the HRA by the income of the authority for that year from rent (including rent remitted by way of rebate) in respect of such dwellings.

Step 2 If the result of Step 1 does not exceed the rebate proportion for the relevant year (see sub-paragraph (2))—

- (a) deduct  $(O + P)$  from  $Q$  (see paragraph 2);
- (b) divide the result of paragraph (a) by  $Q$ ;
- (c) multiply the amount of the subsidy (apart from any deduction to be calculated under this Schedule) by the result of paragraph (b)).

If the result of Step 1 exceeds the rebate proportion for the relevant year—

- (i) deduct  $(O + P)$  from  $Q$  (see paragraph 2);
- (ii) divide the result of paragraph (i) by  $Q$ ;
- (iii) divide the rebate proportion (see sub-paragraph (2)) by the result of Step 1;
- (iv) multiply the result of paragraph (ii) by the result of paragraph (iii);
- (v) multiply the amount of the subsidy (apart from any deduction to be calculated under this Schedule) by the result of paragraph (iv).

[<sup>F49</sup>(2) The rebate proportion for the purposes of sub-paragraph (1) for the relevant year beginning with 1st April 2021 is 0.682.]

**Status:** Point in time view as at 31/10/2021.

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

#### Textual Amendments

**F49** Sch. 4A para. 3(2) substituted (with effect in accordance with art. 2(3)(c) of the amending S.I.) by The Income-related Benefits (Subsidy to Authorities) and Discretionary Housing Payments (Grants) Amendment Order 2021 (S.I. 2021/1031), arts. 1(1), **5(3)(a)**

#### Amounts for the purposes of paragraph 2

4. The amounts for the relevant year beginning with 1st April [<sup>F50</sup>2021] for the purposes of paragraph 2 are as follows—

<sup>F51</sup> Local authority	(1) Specified amount "O" (£)	(2) Guideline rent increase "P" (£)
Caerphilly	100.15	1.27
Cardiff	112.24	2.00
Carmarthenshire	99.65	0.95
Denbighshire	97.49	3.39
Flintshire	101.07	3.45
Isle of Anglesey	96.68	3.42
Pembrokeshire	100.32	3.28
Powys	101.57	2.62
Swansea	98.73	2.89
Vale of Glamorgan	108.57	3.52
Wrexham	99.91	3.42]]

#### Textual Amendments

**F50** Word in Sch. 4A para. 4 substituted (with effect in accordance with art. 2(3)(c) of the amending S.I.) by The Income-related Benefits (Subsidy to Authorities) and Discretionary Housing Payments (Grants) Amendment Order 2021 (S.I. 2021/1031), arts. 1(1), **5(3)(b)(i)**

**F51** Sch. 4A para. 4 Table substituted (with effect in accordance with art. 2(3)(c)(5) of the amending S.I.) by The Income-related Benefits (Subsidy to Authorities) and Discretionary Housing Payments (Grants) Amendment Order 2021 (S.I. 2021/1031), art. 1(1), **Sch. 4**

### <sup>F52</sup>SCHEDULE 5

Articles 13 and 21

#### BENEFIT SAVINGS

#### Textual Amendments

**F52** Sch. 4A Pt. 5 substituted (with effect in accordance with art. 1(4) of the commencing S.I.) by The Income-related Benefits (Subsidy to Authorities) Amendment Order 2015 (S.I. 2015/1784), art. 1(1), **Sch. 4**

**Status:** Point in time view as at 31/10/2021.

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

F53 . . . . .

**Textual Amendments**  
**F53** Sch. 5 omitted (with effect in accordance with art. 1(2) of the commencing S.I.) by virtue of [Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2005 \(S.I. 2005/369\)](#) , arts. 1(1) , **5(2)**

[<sup>F54</sup>SCHEDULE 6

Articles 3A

ELECTRONIC COMMUNICATIONS

**Textual Amendments**  
**F54** Sch. 6 inserted (5.2.2007) by [Income-related Benefits \(Subsidy to Authorities\) \(Miscellaneous Amendments and Electronic Communications\) Order 2007 \(S.I. 2007/26\)](#) , arts. 1(1) , 4(4) , **Schs. 2**

PART 1

INTERPRETATION

**Interpretation**

**1** In this Schedule “official computer system” means a computer system maintained by or on behalf of the Secretary of State for the sending, receipt, processing or storage of any claim or return.

PART 2

ELECTRONIC COMMUNICATIONS - GENERAL PROVISIONS

**Conditions for the use of electronic communications**

- 2.**—(1) An authority[<sup>F55</sup>, reporting accountant] or auditor must use an approved method of—
- (a) electronic communication;
  - (b) authenticating the identity of the sender of the communication;
  - (c) authenticating any claim or return delivered by means of an electronic communication; and
  - (d) submitting to the Secretary of State any claim or return.

(2) An authority[<sup>F55</sup>, reporting accountant] or auditor must submit any claim or return by means of an electronic communication in an approved form.

(3) Where a claim or return is submitted electronically but not in accordance with the conditions specified in this paragraph, that claim or return shall be treated as not having been submitted.

(4) In this paragraph “approved” means approved by means of a direction given by the Secretary of State.

**Status:** Point in time view as at 31/10/2021.

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

**Textual Amendments**

**F55** Words in Sch. 6 para. 2 inserted (with effect in accordance with art. 1(4) of the amending S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2018 \(S.I. 2018/985\)](#), arts. 1(1), 5(9)(a)

**Use of intermediaries**

- 3** The Secretary of State may—
- (a) use intermediaries in connection with the receipt, authentication or security of any claim or return delivered by means of an electronic communication; and
  - (b) require authorities<sup>F56</sup>, reporting accountants] or auditors to use intermediaries in connection with those matters.

**Textual Amendments**

**F56** Words in Sch. 6 para. 3(b) inserted (with effect in accordance with art. 1(4) of the amending S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2018 \(S.I. 2018/985\)](#), arts. 1(1), 5(9)(b)

**PART 3**

**ELECTRONIC COMMUNICATION - EVIDENTIAL PROVISIONS**

**Effect of delivering information by means of electronic communication**

**4.—(1)** Any claim or return which is delivered by means of an electronic communication shall be treated as having been delivered in the approved manner or form on the day the conditions imposed—

- (a) by or under this Schedule; and
- (b) by or under Part II of this Order

are satisfied.

(2) The Secretary of State may, by a direction, determine that any claim or return is to be treated as delivered on a different day (whether earlier or later) from the day provided for in sub-paragraph (1).

(3) A claim or return shall not be treated as delivered to an official computer system by means of an electronic communication unless it is accepted by the system to which it is delivered.

**Proof of identify of sender or recipient of information**

**5** For the purpose of any legal proceedings, it shall be presumed that the identity of the sender or recipient, as the case may be, of any claim or return delivered by means of an electronic communication to an official computer system is the same as is recorded on that official computer system.

**Proof of delivery of information**

**6.—(1)** For the purpose of any legal proceedings, it shall be presumed that—



- (a) if the delivery of any claim or return has been recorded on an official computer system, the use of an electronic communication has resulted in the delivery of that claim or return to the Secretary of State;
- (b) if the delivery of any claim or return submitted by means of an electronic communication to the Secretary of State has not been recorded on an official computer system, no delivery has been made;
- (c) any claim or return submitted by means of an electronic communication has been received on the time and date recorded on an official computer system.

### **Proof of content of information**

7 For the purpose of any legal proceedings, the content of any claim or return submitted by means of an electronic communication shall be presumed to be that recorded on an official computer system.]

[<sup>F57</sup>SCHEDULE 7

Article 17A

### Authorities in London

#### **Textual Amendments**

**F57** Sch. 7 added (1.4.2010) by *Income-related Benefits (Subsidy to Authorities) (Temporary Accommodation) Amendment Order 2009 (S.I. 2009/2580)*, arts. 1, **2(4)**

Barking and Dagenham

Barnet

Bexley

Brent

Bromley

Camden

City of London

Croydon

Ealing

Enfield

Greenwich

Hackney

Hammersmith and Fulham

**Status:** Point in time view as at 31/10/2021.

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

Haringey  
Harrow  
Havering  
Hillingdon  
Hounslow  
Islington  
Kensington and Chelsea  
Kingston upon Thames  
Lambeth  
Lewisham  
Merton  
Newham  
Redbridge  
Richmond upon Thames  
Southwark  
Sutton  
Tower Hamlets  
Waltham Forest  
Wandsworth  
Westminster]

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[<sup>F58</sup>SCHEDULE 8

Articles 17 and 17A

Broad rental market areas in London

**Textual Amendments**

**F58** Sch. 8 added (26.11.2010, 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 , [Schs. 3](#)

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Central London

Inner East London

Inner North London

Inner South East London

Inner South West London

Inner West London

Outer South West London]]

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**Status:**

Point in time view as at 31/10/2021.

**Changes to legislation:**

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