

2001 No. 1326 (S.4)

HOUSING SCOTLAND

**The Rent Officers (Housing Benefit Functions) (Scotland)
(Amendment) Order 2001**

<i>Made - - - -</i>	<i>2nd April 2001</i>
<i>Laid before Parliament</i>	<i>3rd April 2001</i>
<i>Coming into force</i>	<i>2nd July 2001</i>

The Secretary of State for Social Security in exercise of the powers conferred upon him by section 122(1) and (6) of the Housing Act 1996(a), and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Rent Officers (Housing Benefit Functions) (Scotland) (Amendment) Order 2001 and shall come into force on 2nd July 2001.

(2) This Order extends to Scotland only.

Amendments

2. The Rent Officers (Housing Benefit Functions) (Scotland) Order 1997(b) shall be amended in accordance with the following provisions of this Order.

Transitional Arrangements for Single Room Rents with effect from 2nd July 2001

3.—(1) In article 3 for the words “article 6” there shall be substituted the words “articles 3A and 6”.

(2) After article 3 there shall be inserted the following article—

“Transitional arrangements for determination of Single Room Rents with effect from 2nd July 2001

3A. In a case where the rent officer has made and notified an authority of a determination of a single room rent pursuant to paragraph 5 of Schedule 1 in the period of 12 months before 2nd July 2001 that determination shall cease to have effect on the day before 2nd July 2001 and a rent officer shall—

(a) make a new determination of that single room rent in accordance with Part I of Schedule 1;

(b) comply with Part II of Schedule 1; and

(a) 1996 c.52.

(b) S.I. 1997/1995 (S.144). The relevant amending instrument is S.I. 2000/3.

- (c) give notice in accordance with Part III of Schedule 1 within the relevant period or as soon as is practicable after that period;

without an application for a determination under regulation 12A of the 1987 Regulations having been made.”

Single Room Rents

4. In paragraph 5 of Part I of Schedule 1—
- (a) in sub-paragraph (2)(b)(ii) delete the words “or room suitable for living in”;
 - (b) after sub-paragraph (2)(b)(ii) insert the following—
 - “(iia) shares the use of a room suitable for living in”;
 - (c) in sub-paragraph (2)(b)(iii) after “toilet” insert “and bathroom”.

Signed by authority of the Secretary of State for Social Security.

2nd April 2001

Angela Eagle
Parliamentary Under-Secretary of State,
Department of Social Security

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Rent Officers (Housing Benefit Functions) (Scotland) Order 1997 (“the 1997 Order”) which confers functions on rent officers, in connection with housing benefit and rent allowance subsidy, and requires them to make determinations and redeterminations in respect of tenancies and licences of dwellings.

In particular, article 4 amends provisions in Schedule 1 to the 1997 Order concerning rent officers’ determinations. It extends the relevant criteria that a rent officer must have regard to when determining a single room rent. Article 3 inserts transitional arrangements into the Order relating to these changes. This Order does not impose any costs on business.

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