

2005 No. 1719

SOCIAL SECURITY

The Housing Benefit (General) (Amendment) Regulations 2005

Made - - - - - *27th June 2005*

Laid before Parliament *1st July 2005*

Coming into force - - - *1st August 2005*

The Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by sections 123(1)(d) and (e), 136A, 137(1) and 175(1) and (3) of the Social Security Contributions and Benefits Act 1992(a) and of all other powers enabling him in that behalf, after consultation with organisations appearing to him to be representative of the authorities concerned(b) and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(c), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Housing Benefit (General) (Amendment) Regulations 2005 and shall come into force on 1st August 2005.

(2) In these Regulations—

“the Housing Benefit Regulations” means the Housing Benefit (General) Regulations 1987(d).

Amendment of the Housing Benefit Regulations

2.—(1) In regulation 6(2) of the Housing Benefit Regulations (circumstances in which a person is to be treated as liable to make payments in respect of a dwelling) for the words “in respect of which” substitute the words “in, or in respect of, which”.

(2) In regulation 70(1) of those Regulations (rent free periods) for the words “in respect of” substitute the words “in, or in respect of,”.

Signed by authority of the Secretary of State for Work and Pensions.

James Plaskitt
Parliamentary Under Secretary of State,
Department for Work and Pensions

27 June 2005

(a) 1992 c. 4. Sections 123 and 137 were amended to have effect in relation to council tax benefit by the Local Government Finance Act 1992 (c. 14). Schedule 9, paragraphs 1 and 9; section 136A was inserted by paragraph 3 of Schedule 2 to the State Pension Credit Act 2002 (c. 16); section 137(1) is cited for the definition of “prescribed”.

(b) See section 176(1) of the Social Security Administration Act 1992 (c. 5).

(c) See sections 170 and 173(1)(b) of the Social Security Administration Act 1992.

(d) S.I. 1987/1971; relevant amending instruments are S.I. 1999/920, 2002/2402 and 2003/770.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Housing Benefit (General) Regulations 1987 (“the 1987 Regulations”) which provide for a scheme whereby housing benefit is payable to persons who are liable to make certain payments in respect of a dwelling as their home.

Paragraph (2) of Regulation 6 and paragraph (1) of Regulation 70 of the 1987 Regulations, are amended to preserve the policy that Housing Benefit, for those whose tenancy has a rent free period, assists with the full rent only in the weeks in which the rent is actually due.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the cost of business.

£3.00

© Crown copyright 2005

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty’s
Stationery Office and Queen’s Printer of Acts of Parliament.

E0996 7/2005 150996T 19585

ISBN 0-11-073017-8



9 780110 730172