

2005 No. 2052

SOCIAL SECURITY

**The Discretionary Housing Payments (Grants) Amendment
Order 2005**

<i>Made</i> - - - -	<i>21st July 2005</i>
<i>Laid before Parliament</i>	<i>29th July 2005</i>
<i>Coming into force</i> - -	<i>1st September 2005</i>

The Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by sections 140B(1), 140C(1) and (4) and 189(4) to (6) of the Social Security Administration Act 1992(a) and section 70 of the Child Support, Pensions and Social Security Act 2000(b) and of all other powers enabling him in that behalf, with the consent of Treasury(c) and after consultation with organisations appearing to him to be representative of the authorities concerned(d), hereby make the following Order:

Citation, commencement and effect

1.—(1) This Order may be cited as the Discretionary Housing Payments (Grants) Amendment Order 2005 and shall come into force on 1st September 2005.

(2) This Order shall –

- (a) for the purposes of article 2(2) have effect from 1st April 2004; and
- (b) for the purpose of article 2(3) have effect from 1st April 2005.

Amendment of the Discretionary Housing Payments (Grants) Order 2001

2.—(1) The Discretionary Housing Payments (Grants) Order 2001(e) shall be amended in accordance with the following provisions of this article.

(2) In article 1(2) (interpretation), in the definition of “non-audit claim” the words “in England and Wales” shall be omitted.

(3) In article 3(2) (claims), in sub-paragraph (f) for “30th June” there shall be substituted “31st May”.

(a) 1992 c. 5. Sections 140B and 140C were inserted with savings by paragraph 4 of Schedule 12 to the Housing Act 1996, (c.52). Relevant amendments were made to section 140B(1) by paragraph 7 of Schedule 1 to the Social Security Administration (Fraud) Act 1997 (c.47).

(b) 2000 c.19. Relevant amendments were made to section 70(2)(a) by Part 1 of Schedule 8 to the Local Government Act 2003 (c.26).

(c) Section 189(8) of the Social Security Administration Act 1992 (c.5).

(d) Section 176(1) of the Social Security Administration Act 1992.

(e) S.I. 2001/ 2340. The relevant amending instrument is S.I. 2004/2329.

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

21 July 2005

We consent

21 July 2005

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

Vernon Coaker
David Watts

Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

This Order amends the Discretionary Housing Payments (Grants) Order 2001 ("the 2001 Order"), which sets out the procedure by which the Secretary of State will make payments to local authorities towards the cost of discretionary housing payments in accordance with section 70 of the Child Support, Pensions and Social Security Act 2000.

Article 2(2) amends the 2001 Order to provide that a claim by any authority in England, Wales or Scotland in respect of a total amount of less than £50,000 for any year need not be audited by the authority's auditor. Article 2(3) substitutes a new date by which an authority needs to submit a claim showing the amount of discretionary housing payments they have made over the relevant year.

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

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