
STATUTORY INSTRUMENTS

2007 No. 2871

The Rent Officers (Housing Benefit Functions) Amendment Order 2007

Amendments to the Rent Officers Order relating to information sharing coming into force on 7th April 2008 save for certain purposes

7.—(1) This article shall not apply where information is provided to the rent officer by virtue of regulation 14 or 114 of the Housing Benefit Regulations 2006 or, as the case may be, regulation 14 or 95 of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 as in force immediately before 7th April 2008.

(2) For Article 4C(4) (board and attendance determinations and notifications) substitute—

“(4) Where an application for a board and attendance determination is treated as if it had been made in accordance with regulation 14(1) of the Housing Benefit Regulations or, as the case may be, regulation 14(1) of the Housing Benefit (State Pension Credit) Regulations, then, for the purposes of paragraph (a)(ii) of the definition of “relevant period” in article 2(1), it shall be treated as having been received on the day on which the further information provided in accordance with regulation 114A(4)(1) of the Housing Benefit Regulations or regulation 95A(4)(2) of the Housing Benefit (State Pension Credit) Regulations is received.”.

(3) In article 5(3) (insufficient information) for “, he shall serve notice on the local authority requesting that information” substitute “where the information supplied under regulation 114A of the Housing Benefit Regulations or regulation 95A of the Housing Benefit (State Pension Credit) Regulations was incomplete or incorrect, he shall serve notice on the local authority requesting it to supply the further information required under regulation 114A or regulation 95A, as the case may be, or to confirm whether the information already supplied is correct and, if it is not, to supply the correct information”.

(4) For paragraph 7(3)(4) of Part 2 of Schedule 1 substitute—

“(3) For the purposes of paragraphs 1, 2, 3, and 6 of Part 1 of this Schedule, the rent officer shall assume that the rent payable under the tenancy at the relevant time is—

- (a) where an amount is notified to the rent officer under regulation 114A(4)(b) of the Housing Benefit Regulations or, as the case may be, regulations 95A(4)(b) of the Housing Benefit (State Pension Credit) Regulations in respect of that tenancy, that notified amount less the total of any ineligible charges included in that amount; or
- (b) in any other case, the total amount stated under regulation 114A(3)(d) of the Housing Benefit Regulations or, as the case may be regulation 95A(3)(d) of the Housing Benefit (State Pension Credit) Regulations less the total of any ineligible charges included in that stated amount.”.

(1) Regulation 114A is inserted by [S.I. 2007/2868](#).

(2) Regulation 95A is inserted by [S.I. 2007/2869](#).

(3) Article 5 was amended by [S.I. 2000/1](#) and [2006/217](#).

(4) Paragraph 7 of Schedule 1 was substituted by [S.I. 2000/1](#). Sub-paragraph (1)(a) was substituted by [S.I. 2006/217](#) and sub-paragraph (1)(b) was amended by [S.I. 2003/2398](#). Sub-paragraph (3) was amended by [S.I. 2006/217](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
