
STATUTORY INSTRUMENTS

2016 No. 1179

**The Rent Officers (Housing Benefit and
Universal Credit Functions) (Local Housing
Allowance Amendments) Order 2016**

Amendment of the Rent Officers (Housing Benefit Functions) (Scotland) Order 1997

3.—(1) The Rent Officers (Housing Benefit Functions) (Scotland) Order 1997⁽¹⁾ is amended as follows.

(2) In article 4B, after paragraph (1A) (broad rental market area determinations)⁽²⁾, insert—

“(1B) The power in paragraph (1A) is not limited by paragraph 2(2A) or (2B) of Schedule 3B.”.

(3) In paragraph 2 of Schedule 3B (local housing allowance determinations)⁽³⁾—

(a) before sub-paragraph (3) insert—

“(2A) For all broad rental market areas other than Lothian, the local housing allowance for any category of dwelling is the lower of the amounts set out in sub-paragraph (3)(a) and (b).

(2B) For the Lothian broad rental market area, the local housing allowance—

(a) for the category of dwelling defined in paragraph 1(1)(b) of this Schedule (one bedroom, exclusive use), is the lower of the amounts set out in sub-paragraph (3A)(a) and (b);

(b) for all other categories of dwelling, is the lower of the amounts set out in sub-paragraph (3)(a) and (b).”;

(b) in sub-paragraph (3)—

(i) for the words before paragraph (a) substitute “The amounts referred to in sub-paragraphs (2A) and (2B)(b) are—”;

(ii) at the end of paragraph (a), for “or” substitute “and”;

(iii) in paragraph (b), omit “, where that rent is lower than the allowance referred to in paragraph (a)”;

(c) after sub-paragraph (3) insert—

“(3A) The amounts referred to in (2B)(a) are—

(a) the local housing allowance determined for that category of dwelling on 30th January 2015 (or, where the determination is amended under article 7A(4) (errors), the allowance provided for in the amended determination), plus 3%; and

(b) £260.64.”.

(1) [S.I. 1997/1995](#).

(2) Article 4B was inserted by [S.I. 2003/2398](#) and amended by [S.I. 2007/2871](#). There are other amending instruments but none is relevant.

(3) Schedule 3B was inserted by [S.I. 2007/2871](#) and amended by [S.I. 2013/2978](#), [2014/3126](#) and [2015/1573](#). There are other amending instruments but none is relevant.

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