STATUTORY INSTRUMENTS

2016 No. 986

SOCIAL SECURITY

The Income-related Benefits (Subsidy to Authorities) Amendment Order 2016

Made - - - -	*10th October 2016*
Laid before Parliament	*13th October 2016*
Coming into force - -	*18th November 2016*

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by sections 140B(1), (3), (4) and (4A), 140F(2) and 189(4) to (7) of the Social Security Administration Act 1992(**1**).

In accordance with section 189(8) of that Act(**2**), the Secretary of State has obtained the consent of the Treasury.

In accordance with section 176(1) of that Act(**3**), the Secretary of State has consulted with organisations appearing to the Secretary of State to be representative of the authorities concerned.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Income-related Benefits (Subsidy to Authorities) Amendment Order 2016 and comes into force on 18th November 2016.

(**1**) 1992 c.5. Sections 140B and 140F were inserted by paragraph 4 of Schedule 12 to the Housing Act 1996 (c.52). Section 140B was amended by section 10 of, and paragraph 7 of Schedule 1 to, the Social Security Administration (Fraud) Act 1997 (c.47) ("the Fraud Act"). Sections 140B and 140F were repealed, to the extent they related to council tax benefit, by section 147 of, and paragraph 1 of Schedule 14 to, the Welfare Reform Act 2012 (c.5) with effect from 1st April 2013 and subject to savings and transitional provisions in articles 9 and 10 of S.I. 2013/358. Section 189(1) and (4) was amended by paragraph 109 of Schedule 7 to the Social Security Act 1998 (c.14). Section 189(1) was amended by paragraph 57(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2) ("the Transfer of Functions Act") and paragraph 1 of Schedule 6 to the Tax Credits Act 2002 (c.21). Section 189(4) was amended by S.I. 2013/252. Section 189(7) was amended by paragraph 24 of Schedule 9 to the Local Government Finance Act 1992 (c.14) and paragraph 10 of Schedule 1 to the Fraud Act. Section 189 was repealed, to the extent it related to council tax benefit, by section 147 of, and paragraph 1 of Schedule 14 to, the Welfare Reform Act 2012 with effect from 1st April 2013 and subject to savings and transitional provisions in articles 9 and 10 of S.I. 2013/358.

(**2**) Section 189(8) was amended by paragraph 3(5) of Schedule 13 to the Housing Act 1996, paragraph 10 of Schedule 4 to the Social Security (Recovery of Benefits Act 1997 (c.27), paragraph 3 of Schedule 4 to the Tax Credits Act 2002 (c.21), paragraph 29 of Schedule 1 to the Pensions Act 2007 (c.22) and paragraph 57(3) of Schedule 3 to the Transfer of Functions Act.

(**3**) Section 176(1)(b) was amended by paragraph 3(4) of Schedule 13 to the Housing Act 1996 and was repealed, to the extent it related to council tax benefit, by section 147 of, and paragraph 1 of Schedule 14 to, the Welfare Reform Act 2012 with effect from 1st April 2013 and subject to savings and transitional provisions in articles 9 and 10 of S.I. 2013/358.

(2) Article 2(2) and Schedule 1 have effect for the purpose of determining subsidy payable for the relevant year beginning with 1st April 2015.

(3) Articles 2(3) and 3, and Schedules 2, 3 and 4 have effect for the purpose of determining subsidy payable for the relevant year beginning with 1st April 2016.

(4) Article 4 has effect from 1st April 2016.

(5) In this Order—

"the 1998 Order" means the Income-related Benefits (Subsidy to Authorities) Order 1998(**4**);

"relevant year" means the period of a year beginning on 1st April in any calendar year in respect of which a claim for subsidy is made.

The amount of an authority's subsidy

2.—(1) The 1998 Order is amended as follows.

(2) For Schedule 1 (sums to be used in the calculation of subsidy)(**5**) substitute the Schedule 1 set out in Schedule 1 to this Order.

(3) For Schedule 1A (additional amount of subsidy: activities to reduce fraud and error)(**6**) substitute the Schedule 1A set out in Schedule 2 to this Order.

Rent rebate deductions from an authority's subsidy

3.—(1) Schedule 4A to the 1998 Order (rent rebate limitation deductions (Housing Revenue Account Dwellings))(**7**) is amended as follows.

(2) In Part 2 (England), in paragraph 3 (amount of deduction), for sub-paragraph (3)(**8**) substitute —

"(3) The rebate proportion for 2016-17 is 0.752.".

(3) For Part 3 (weekly rent limits for purposes of Part 2: authorities in England)(**9**), substitute the Part 3 set out in Schedule 3 to this Order.

(4) For Part 5 (amounts for purposes of Part 4, paragraph 4: authorities in Wales)(**10**), substitute the Part 5 set out in Schedule 4 to this Order.

Amendments relating to the Housing (Wales) Act 2014

4.—(1) The 1998 Order is amended as follows.

(2) In article 17(1)(c) (subsidy in respect of non self-contained licensed accommodation etc. provided by an authority as temporary or short-term accommodation)(**11**)—

(a) in paragraph (i), after "Housing Act 1996" insert ", Part 2 of the Housing (Wales) Act 2014";

(b) in paragraph (ii)—

(i) for "or (in Scotland)" substitute, ", Part 2 of the Housing (Wales) Act 2014 or";

(ii) after "1987" insert ", as the case may be".

(**4**) S.I. 1998/562.
(**5**) Schedule 1 was substituted by S.I. 2015/1784.
(**6**) Schedule 1A was inserted by S.I. 2015/1784.
(**7**) Schedule 4A was inserted by S.I. 2004/646.
(**8**) In Part 2 of Schedule 4A, paragraph 3(3) was substituted by S.I. 2015/1784.
(**9**) Part 3 of Schedule 4A was substituted by S.I. 2015/1784.
(**10**) Part 5 of Schedule 4A was substituted by S.I. 2015/1784.
(**11**) Article 17 is substituted by S.I. 2009/2580 and amended by S.I. 2010/2509.

(3) In article 17A(1)(c) (subsidy in respect of self-contained licensed accommodation etc. provided by an authority as temporary or short-term accommodation)(**12**)—

(a) in paragraph (i), after "Housing Act 1996" insert ", Part 2 of the Housing (Wales) Act 2014";

(b) in paragraph (ii)—

(i) for "or (in Scotland)" substitute, ", Part 2 of the Housing (Wales) Act 2014 or";

(ii) after "1987" insert ", as the case may be".

(4) In article 17B(1)(c) (subsidy in respect of non self-contained licensed accommodation etc. made available by a registered housing association as temporary or short-term accommodation)(**13**)—

(a) in paragraph (i), after "Housing Act 1996" insert ", Part 2 of the Housing (Wales) Act 2014";

(b) in paragraph (ii)—

(i) for "or (in Scotland)" substitute, ", Part 2 of the Housing (Wales) Act 2014 or";

(ii) after "1987" insert ", as the case may be".

(5) In article 17C(1)(c) (subsidy in respect of self-contained licensed accommodation etc. made available by a registered housing association authority as temporary or short-term accommodation)(**14**)—

(a) in paragraph (i), after "Housing Act 1996" insert ", Part 2 of the Housing (Wales) Act 2014";

(b) in paragraph (ii)—

(i) for "or (in Scotland)" substitute, ", Part 2 of the Housing (Wales) Act 2014 or";

(ii) after "1987" insert ", as the case may be".

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

Caroline Nokes
Parliamentary Under Secretary of State,
Department for Work and Pensions

10th October 2016

(**12**) Article 17A is inserted by S.I. 2009/2580 and amended by S.I. 2010/2509.
(**13**) Article 17B is inserted by S.I. 2010/2509.
(**14**) Article 17C is inserted by S.I. 2010/2509.

We consent.

David Evennett
Guy Opperman
Two of the Lords Commissioners of Her Majesty's Treasury

10th October 2016

SCHEDULE 1 Article 2(2)

Schedule to be substituted for Schedule 1 to the 1998 Order

"SCHEDULE 1 Article 12(1)(b)

Sums to be used in the calculation of subsidy

RELEVANT YEAR 2015-2016

Local authority	*Administration subsidy (£)*
England	
Adur	280,003
Allerdale	440,716
Amber Valley	535,340
Arun	724,476
Ashfield	674,613
Ashford	545,396
Aylesbury Vale	613,196
Babergh	322,649
Barking and Dagenham	1,506,125
Barnet	2,418,387
Barnsley	1,408,476
Barrow in Furness	360,111
Basildon	1,078,409
Basingstoke and Deane	710,506
Bassetlaw	563,576
Bath and North East Somerset	769,034
Bedford	838,965
Bexley	1,058,826
Birmingham	7,392,503
Blaby	266,431
Blackburn with Darwen	858,859
Blackpool	1,408,191
Bolsover	418,611
Bolton	1,684,004
Boston	385,053
Bournemouth	1,256,143