

**Changes to legislation:** Local Government Finance Act 1992, Cross Heading: Social Security Administration Act 1992 (c. 5) is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 9

#### SOCIAL SECURITY: COUNCIL TAX BENEFIT

##### *Social Security Administration Act 1992 (c. 5)*

- 12 [F1(1) In subsection (1) of section 6 of the Social Security Administration Act 1992 (regulations about community charge benefits administration)—
- (a) for the words “any community charge benefit” there shall be substituted the words “ council tax benefit ”;
  - (b) in paragraph (d), the words “or a consequential reduction” shall cease to have effect; and
  - (c) in paragraphs (j), (n), (o), (r), (s) and (t), the words “or consequential reduction”, in each place where they occur, shall cease to have effect.
- (2) In subsection (2) of that section, for the words from “provision” to “shall not apply” there shall be substituted the words “ provision in relation to council tax benefit that prescribed provisions shall apply instead of prescribed provisions of Part I or II of the Local Government Finance Act 1992, or that prescribed provisions of either of those Parts shall not apply ”.
- (3) For subsection (3) of that section there shall be substituted the following subsection—
- “(3) References in subsection (2) above to either of the Parts there mentioned include references to regulations made under the Part concerned”.]

#### Textual Amendments

- F1** Sch. 9 paras. 1-13 repealed (1.4.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 1](#); S.I. 2013/358, art. 8(c), [Sch. 4](#) (with arts. 9, 10, [Sch. 5](#))

- 13 [F1In subsection (3) of section 7 of that Act (relationship between community charge benefits and other benefits), for the words “any community charge benefit” there shall be substituted the words “ council tax benefit ”.]

#### Textual Amendments

- F1** Sch. 9 paras. 1-13 repealed (1.4.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 1](#); S.I. 2013/358, art. 8(c), [Sch. 4](#) (with arts. 9, 10, [Sch. 5](#))

- [F214 (1) In subsection (1) of section 63 of that Act (adjudication), for paragraphs (b) and (c) there shall be substituted the following paragraph—
- “(b) council tax benefit”.

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(2) In subsection (3) of that section, for the words “community charge benefits” there shall be substituted the words “council tax benefit”.]

**Textual Amendments**

**F2** Sch. 9 para. 14 repealed (29.11.1999 for certain purposes subject to transitional provisions in Schs. 21-23 of S.I. 1999/3178 otherwise *prosp.*) by 1998 c. 14, ss. 86(2), 87(2), **Sch. 8**; S.I. 1999/3178, art. 2(1), **Sch. 1**

**Modifications etc. (not altering text)**

**C1** Sch. 9 para. 14(2) excluded (31.3.1993) by S.I. 1993/502, **art. 2**

15 <sup>F3</sup>(1) In subsection (1) of section 76 of that Act (excess benefits), for the words “charging authority” there shall be substituted the words “billing authority” and for the words “a community charge benefit” there shall be substituted the words “council tax benefit”.

(2) In subsection (2) of that section, the words “As regards any case where the benefit is in respect of a personal community charge” shall cease to have effect.

(3) In subsection (3) of that section, for the words “the charge concerned” there shall be substituted the words “council tax”.

(4) Subsections (4), (5) and (7) of that section shall cease to have effect.]

**Textual Amendments**

**F3** Sch. 9 paras. 15-17 repealed (1.4.2013 for specified purposes) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 14 Pt. 1**; S.I. 2013/358, art. 8(c), **Sch. 4** (with arts. 9, 10, **Sch. 5**)

16 <sup>F3</sup>(1) In subsection (1) of section 77 of that Act (shortfall in benefits), for the words “charging authority” there shall be substituted the words “billing authority” and for the words “a community charge benefit” there shall be substituted the words “council tax benefit”.

(2) Subsections (2) and (3) of that section shall cease to have effect.]

**Textual Amendments**

**F3** Sch. 9 paras. 15-17 repealed (1.4.2013 for specified purposes) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 14 Pt. 1**; S.I. 2013/358, art. 8(c), **Sch. 4** (with arts. 9, 10, **Sch. 5**)

17 <sup>F3</sup>(1) In subsection (2) of section 116 of that Act (legal proceedings), for the words “community charge benefits”, in both places where they occur, there shall be substituted the words “council tax benefit”.

(2) In subsection (5) of that section, for the words “community charge benefits” there shall be substituted the words “council tax benefit”.]

**Textual Amendments**

**F3** Sch. 9 paras. 15-17 repealed (1.4.2013 for specified purposes) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 14 Pt. 1**; S.I. 2013/358, art. 8(c), **Sch. 4** (with arts. 9, 10, **Sch. 5**)

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F4 18 .....

**Textual Amendments**

F4 Sch. 9 para. 18 repealed (1.7.1997) by 1997 c. 47, s. 22, Sch. 2; S.I. 1997/1577, art. 2, Sch.

19 [F5(1) For subsections (1) and (2) of section 138 of that Act (nature of benefits) there shall be substituted the following subsection—

“(1) Regulations shall provide that where a person is entitled to council tax benefit in respect of council tax payable to a billing authority or levying authority the benefit shall take such of the following forms as is prescribed in the case of the person—

- (a) a payment or payments by the authority to the person;
- (b) a reduction in the amount the person is or becomes liable to pay to the authority in respect of the tax for the relevant or any subsequent financial year;
- (c) both such payment or payments and such reduction.”

(2) Subsections (3) and (4) of that section shall cease to have effect.

(3) In subsection (5) of that section, for the words “subsections (1) and (2)” there shall be substituted the words “ subsection (1) ” and for the words “chargeable financial year”, in both places where they occur, there shall be substituted the words “ financial year ”.

(4) Subsections (6) to (8) of that section shall cease to have effect.

(5) In subsection (9) of that section, the words “or (2) or (3)” shall cease to have effect and for the words “the 1987 Act or the 1988 Act” there shall be substituted the words “ Part I or II of the Local Government Finance Act 1992 ”.]

**Textual Amendments**

F5 Sch. 9 paras. 19-24 repealed (1.4.2013 for specified purposes) by Welfare Reform Act 2012 (c. 5), s. 150(3), Sch. 14 Pt. 1; S.I. 2013/358, art. 8(c), Sch. 4 (with arts. 9, 10, Sch. 5)

20 [F5(1) In subsection (1) of section 139 of that Act (arrangements for community charge benefits), for the words “Any community charge benefit” there shall be substituted the words “ Council tax benefit ” and for the words “community charge benefit scheme” there shall be substituted the words “ council tax benefit scheme ”.

(2) For subsections (2) and (3) of that section there shall be substituted the following subsection—

“(2) For the purposes of this section the appropriate authority is the billing authority or levying authority which levied the council tax as regards which a person is entitled to the benefit.”

(3) In subsection (4) of that section, for the words “Charging authorities” there shall be substituted the words “ Billing authorities ” and for the words “community charge benefits” there shall be substituted the words “ council tax benefit ”.

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- (4) In subsection (5) of that section, for the words “community charge benefits” there shall be substituted the words “council tax benefit”.
- (5) In subsection (6) of that section, for the words “charging authority” there shall be substituted the words “billing authority” and for the words “community charge benefit scheme” there shall be substituted the words “council tax benefit scheme”.
- (6) In subsection (7) of that section, for the word “benefits”, in both places where it occurs, there shall be substituted the word “benefit”.
- (7) In subsection (9) of that section—
- (a) for the words “community charge benefit scheme” there shall be substituted the words “council tax benefit scheme”;
  - (b) for the words “community charge benefits” there shall be substituted the words “council tax benefit”; and
  - (c) for the word “benefits”, in the second and third places where it occurs, there shall be substituted the word “benefit”.
- (8) In subsection (10) of that section, for the word “benefits” there shall be substituted the word “benefit”.]

**Textual Amendments**

- F5** Sch. 9 paras. 19-24 repealed (1.4.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 1](#); S.I. 2013/358, art. 8(c), Sch. 4 (with arts. 9, 10, Sch. 5)

<sup>F6</sup>21 [ <sup>F5</sup>..... ]

**Textual Amendments**

- F5** Sch. 9 paras. 19-24 repealed (1.4.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 1](#); S.I. 2013/358, art. 8(c), Sch. 4 (with arts. 9, 10, Sch. 5)
- F6** Sch. 9 para. 21 repealed (1.4.1997 subject to certain purposes as mentioned in the Transitional Provisions of Sch. para. 4 of the commencing S.I.) by [1996 c. 52, s. 227](#), [Sch. 19 Pt. VI](#); S.I. 1997/618, [art. 2\(1\)](#)

22 [ <sup>F5</sup>In subsection (2)(d) of section 163 of that Act (general financial arrangements), for the words “community charge benefit subsidy” there shall be substituted the words “council tax benefit subsidy”. ]

**Textual Amendments**

- F5** Sch. 9 paras. 19-24 repealed (1.4.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 1](#); S.I. 2013/358, art. 8(c), Sch. 4 (with arts. 9, 10, Sch. 5)

23 [ <sup>F5</sup>In subsection (1) of section 176 of that Act (consultation with representative organisations), for the words “community charge benefits” there shall be substituted the words “council tax benefit”. ]

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#### Textual Amendments

**F5** Sch. 9 paras. 19-24 repealed (1.4.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 1](#); S.I. 2013/358, art. 8(c), Sch. 4 (with arts. 9, 10, Sch. 5)

- 24 <sup>[F5]</sup>In subsection (7) of section 189 of that Act (regulations and orders: general), for the words “community charge benefits” there shall be substituted the words “council tax benefit”.]

#### Textual Amendments

**F5** Sch. 9 paras. 19-24 repealed (1.4.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 1](#); S.I. 2013/358, art. 8(c), Sch. 4 (with arts. 9, 10, Sch. 5)

- 25 In section 191 of that Act (interpretation: general)—
- (a) <sup>[F7]</sup>for the definitions of “chargeable financial year” and “charging authority” there shall be substituted the following definition—
- ““billing authority” has the same meaning as in Part I of the Local Government Finance Act 1992;”]
- (b) after the definition of “dwelling” there shall be inserted the following definition—
- ““financial year” has the same meaning as in the Local Government Finance Act 1992;”;
- (c) <sup>[F8]</sup>in the definition of “income-related benefit”, for paragraph (e) there shall be substituted the following paragraph—
- “(e) council tax benefit.”; and]
- <sup>[F9]</sup>(d) for the definition of “levying authority” there shall be substituted the following definition—
- ““levying authority” has the same meaning as in Part II of the Local Government Finance Act 1992;”.]

#### Textual Amendments

**F7** Sch. 9 para. 25(a) repealed (1.4.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 1](#); S.I. 2013/358, art. 8(c), Sch. 4 (with arts. 9, 10, Sch. 5)

**F8** Sch. 9 para. 25(c) repealed (1.4.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 1](#); S.I. 2013/358, art. 8(c), Sch. 4 (with arts. 9, 10, Sch. 5)

**F9** Sch. 9 para. 25(d) repealed (1.4.1996) by 1994 c. 39, s. 180(2), [Sch. 14](#) (with s. 128(8)); S.I. 1996/323, art. 4(1)(d), [Sch. 2](#)

- 26 A statutory instrument containing (alone or with other provisions) regulations or an order relating to council tax benefit and made by virtue of section 6, 7, 63, 76, 77, 128, 138 or 139 of that Act shall not be made before 1st April 1993 unless a draft of the instrument has been laid before and has been approved by a resolution of each House of Parliament.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied (with modifications) by [S.I. 2010/875 reg. 16Sch. 2](#) (This amendment not applied to [legislation.gov.uk](#). The amending S.I. was revoked before ever coming into force by [S.I. 2010/1906, reg. 2](#))

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- [s. 6\(2\)\(ea\)](#) inserted by [2012 c. 17 s. 13\(1\)](#)