

SCHEDULES

SCHEDULE 7

HOUSING BENEFIT: REVISIONS AND APPEALS

Suspension in prescribed circumstances

- 13.—**(1) Regulations may provide for—
- (a) suspending, in whole or in part, any payments of housing benefit;
 - (b) the subsequent making, or restoring, in prescribed circumstances of any or all of the payments so suspended.
- (2) Regulations made under sub-paragraph (1) may, in particular, make provision for any case where, in relation to a claim for housing benefit—
- (a) it appears to the relevant authority that an issue arises whether the conditions for entitlement to such a benefit are or were fulfilled;
 - (b) it appears to the relevant authority that an issue arises whether a decision as to an award of such a benefit should be revised (under paragraph 3) or superseded (under paragraph 4);
 - (c) an appeal is pending against a decision of an appeal tribunal, a Commissioner or a court; or
 - (d) it appears to the relevant authority, where an appeal is pending against the decision given by a Commissioner or a court in a different case, that if the appeal were to be determined in a particular way an issue would arise whether the award of housing benefit in the case itself ought to be revised or superseded.
- (3) For the purposes of sub-paragraph (2), an appeal against a decision is pending if—
- (a) an appeal against the decision has been brought but not determined;
 - (b) an application for leave to appeal against the decision has been made but not determined; or
 - (c) the time within which—
 - (i) an application for leave to appeal may be made; or
 - (ii) an appeal against the decision may be brought,has not expired and the circumstances are such as may be prescribed.

- (4) In sub-paragraph (2)(d) the reference to a different case—
 - (a) includes a reference to a case involving a different relevant authority; but
 - (b) does not include a reference to a case relating to a different benefit.