



Housing (Scotland) Act 1988

1988 CHAPTER 43

PART IV

MISCELLANEOUS AND GENERAL

70 Rent officers: additional functions relating to housing benefit etc

- (1) The Secretary of State may by order require rent officers to carry out such functions as may be specified in the order in connection with housing benefit and rent allowance subsidy.
- (2) An order under this section—
 - (a) shall be made by statutory instrument which, except in the case of the first order to be made, shall be subject to annulment in pursuance of a resolution of either House of Parliament;
 - (b) may make different provision for different cases or classes of case and for different areas; and
 - (c) may contain such transitional, incidental and supplementary provisions as appear to the Secretary of State to be desirable;and the first order under this section shall not be made unless a draft of it has been laid before, and approved by a resolution of, each House of Parliament.
- (3) At the end of section 21(6) of the Social Security Act 1986 (regulations prescribing maximum family credit and maximum housing benefit) there shall be added the words “and regulations prescribing the appropriate maximum housing benefit may provide for benefit to be limited by reference to determinations made by rent officers in exercise of functions conferred under section 70 of the Housing (Scotland) Act 1988”.
- (4) In section 30 of that Act (housing benefits finance) at the end of subsection (2) there shall be added the words “and, in relation to the rent allowance subsidy, the Secretary of State may exercise his discretion as to what is unreasonable for the purpose of paragraph (b) above by reference to determinations made by rent officers in exercise of functions conferred by section 70 of the Housing (Scotland) Act 1988.”.

Status: This is the original version (as it was originally enacted).

- (5) In section 51(1)(h) of that Act (regulations may require information etc. needed for determination of a claim) the reference to information or evidence needed for the determination of a claim includes a reference to information or evidence required by a rent officer for the purpose of a function conferred on him under this section.
- (6) In this section “housing benefit” and “rent allowance subsidy” have the same meaning as in Part II of that Act.