



# Welfare Reform Act 2007

## 2007 CHAPTER 5

### PART 2

#### HOUSING BENEFIT AND COUNCIL TAX BENEFIT

#### [<sup>F1</sup>30 Local housing allowance

- (1) In section 130 of the Contributions and Benefits Act (housing benefit) subsection (4) ceases to have effect.
- (2) After that section insert—

#### “Appropriate maximum housing benefit

- (1) For the purposes of section 130 above, the appropriate maximum housing benefit (in this section referred to as “the AMHB”) is determined in accordance with this section.
- (2) Regulations must prescribe the manner in which the AMHB is to be determined.
- (3) The regulations may provide for the AMHB to be ascertained in the prescribed manner by reference to rent officer determinations.
- (4) The regulations may require an authority administering housing benefit in any prescribed case—
  - (a) to apply for a rent officer determination, and
  - (b) to do so within such time as may be specified in the regulations.
- (5) The regulations may make provision as to the circumstances in which, for the purpose of determining the AMHB, the amount of the liability mentioned in section 130(1)(a) above must be taken to be the amount of a rent officer determination instead of the actual amount of that liability.
- (6) Regulations under subsection (5) may also make provision for the liability of a person who, by virtue of regulations under section 137(2)(j) below, is treated

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*Changes to legislation: Welfare Reform Act 2007, Section 30 is up to date with all changes known to be in force on or before 23 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*

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as having a liability mentioned in section 130(1)(a) above to be the amount of a rent officer determination.

(7) A rent officer determination is a determination made by a rent officer in the exercise of functions under section 122 of the Housing Act 1996.”

(3) In Schedule 7 to the Child Support, Pensions and Social Security Act 2000 (c. 19) (housing benefit and council tax benefit: revisions and appeals), in paragraph 4—

(a) in sub-paragraph (1) for “sub-paragraph (4)” substitute “ sub-paragraphs (4) and (4A) ”;

(b) after sub-paragraph (4) insert—

“(4A) Regulations may prescribe the cases and circumstances in which, and the procedure by which, a decision relating to housing benefit must be made by the appropriate relevant authority.”]

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#### **Textual Amendments**

**F1** Ss. 30-34 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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#### **Commencement Information**

**I1** S. 30(1) in force at 7.4.2008 by [S.I. 2007/2872](#), [art. 2\(1\)\(a\)](#)

**I2** S. 30(2) in force at 1.10.2007 for specified purposes by [S.I. 2007/2872](#), [art. 2\(2\)\(a\)](#) (with arts. 3-5)

**I3** S. 30(2) in force at 7.4.2008 in so far as not already in force by [S.I. 2007/2872](#), [art. 2\(3\)](#) (with arts. 3-5)

**I4** S. 30(3) in force at 1.10.2007 for specified purposes by [S.I. 2007/2872](#), [art. 2\(2\)\(b\)](#) (with arts. 3-5)

**I5** S. 30(3) in force at 7.4.2008 in so far as not already in force by [S.I. 2007/2872](#), [art. 2\(3\)](#) (with arts. 3-5)

**Changes to legislation:**

Welfare Reform Act 2007, Section 30 is up to date with all changes known to be in force on or before 23 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.

View outstanding changes

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

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

- s. 1(3)(za) inserted by 2012 c. 5 s. 62(2)
- s. 1(3B) inserted by 2012 c. 5 s. 62(3)
- s. 1C inserted by 2012 c. 5 s. 54(3)
- s. 1C repealed by 2012 c. 5 Sch. 14 Pt. 5 (This amendment not applied to legislation.gov.uk. The entry for this repeal in Sch. 14 Pt. 6 was repealed (8.5.2012) without ever being in force by 2012 c. 5, s. 150(3), Sch. 14 Pt. 2)
- s. 2(6) inserted by 2012 c. 5 Sch. 5 para. 6(3)
- s. 13(6A) inserted by 2009 c. 24 s. 3(4)(b)
- s. 14(5) amendment to earlier affecting provision 2009 c. 24, s. 31(2) by 2012 c. 5 s. 54(7)
- s. 14(5) inserted by 2009 c. 24 s. 31(2)
- s. 16(1)(za) inserted by 2012 c. 5 s. 54(5)
- s. 20(7A)(7B) inserted by 2023 c. 20 Sch. para. 55(2)
- Sch. 1 para. 6(1)(da) inserted by 2009 c. 24 s. 5(2)(a)
- Sch. 1 para. 6(2A) inserted by 2009 c. 24 s. 5(2)(b)
- Sch. 2 para. 10A inserted by 2009 c. 24 s. 30(2)
- Sch. 2 para. 4B and cross-heading inserted by 2012 c. 5 s. 62(4)
- Sch. 2 para. 10B and cross-heading inserted by 2012 c. 5 s. 57(8)
- Sch. 2 para. 10ZA inserted by 2012 c. 5 s. 57(7)(b)
- Sch. 2 para. 10A heading word substituted by 2012 c. 5 s. 57(7)(a)
- Sch. 2 para. 10A(1) words inserted by 2009 c. 24 Sch. 3 para. 8(5)(a) (This amendment not applied to legislation.gov.uk. The entry for this repeal in Sch. 14 Pt. 6 was repealed (8.5.2012) without ever being in force by 2012 c. 5, s. 150(3), Sch. 14 Pt. 2)
- Sch. 2 para. 10A(1) words repealed by 2012 c. 5 Sch. 14 Pt. 6 (This amendment not applied to legislation.gov.uk. The entry for this repeal in Sch. 14 Pt. 6 was repealed (8.5.2012) without ever being in force by 2012 c. 5, s. 150(3), Sch. 14 Pt. 2)
- Sch. 2 para. 10A(1) words substituted by 2012 c. 5 s. 57(7)(c)(i)
- Sch. 2 para. 10A(1) words substituted by 2012 c. 5 s. 57(7)(c)(ii)