
STATUTORY INSTRUMENTS

1996 No. 547

LOCAL GOVERNMENT, ENGLAND AND WALES
SOCIAL SECURITY

**The Local Government Changes for England (Housing Benefit
and Council Tax Benefit) Amendment Regulations 1996**

<i>Made</i>	- - - -	<i>4th March 1996</i>
<i>Laid before Parliament</i>		<i>11th March 1996</i>
<i>Coming into force</i>	- -	<i>1st April 1996</i>

The Secretary of State for Social Security, in exercise of the powers conferred by sections 19 and 26 of the Local Government Act 1992(1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Local Government Changes for England (Housing Benefit and Council Tax Benefit) Amendment Regulations 1996 and shall come into force on 1st April 1996.

Amendment of the 1995 Regulations

2.—(1) The Local Government Changes for England (Housing Benefit and Council Tax Benefit) Regulations 1995(2) shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph (1) of regulation 2 there shall be inserted, after the definition of “abolished authority”, a new definition—

““designated authority” means—

- (a) in a case where there are two or more successor authorities in relation to an abolished authority which are principal councils, the successor authority which is specified in a section 17 Order as the designated authority in relation to regulation 6(8) and Part III of the Local Government Changes for England (Property Transfer and Transitional Payments) Regulations 1995(3); and

(1) 1992 c. 19.

(2) S.I. 1995/531.

(3) S.I. 1995/402; amended by S.I. 1995/2796.

- (b) in the case of the relinquishing authority and the acquiring authority in relation to a transferred area, the relinquishing authority;”.
- (3) In regulation 3, at the beginning, there shall be inserted the words “Subject to regulation 5 below,”.
- (4) After regulation 4 there shall be added a new regulation 5 —

“Designation of authorities for subsidy purposes

5. In relation to any benefit granted or allowed before the reorganisation date, for the purposes of—

- (a) payment of any subsidy under section 135 (housing benefit finance) or 140 (council tax benefit subsidy) of the Administration Act⁽⁴⁾;
- (b) any claims or other matters associated with such subsidy under sections 137 and 140(7) (claims etc.) of that Act; and
- (c) any Regulations or Orders made under those sections,

in any case where there is a designated authority that authority shall be deemed to be the authority referred to in those sections or in any Regulations or Orders made thereunder.”.

Signed by authority of the Secretary of State for Social Security.

4th March 1996

Roger Evans
Parliamentary Under-Secretary of State,
Department of Social Security

(4) 1992 c. 5; section 140 was amended by the Local Government Finance Act 1992, Schedule 9, paragraph 21.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part II of the Local Government Act 1992 makes provision for local government changes in England. The Local Government Commission for England conducts a review of a local government area and decides whether to make recommendations to the Secretary of State for the Environment about such changes. Where recommendations for change are made, the Secretary of State may make an Order, under section 17 of that Act, giving effect to those recommendations with or without modifications.

These Regulations amend the Local Government Changes for England (Housing Benefit and Council Tax Benefit) Regulations 1995 (S.I. [1995/531](#)) to make further incidental, consequential, transitional and supplementary provision for housing benefit and council tax benefit for the purposes of, and in consequence of such Orders in relation to the payment of subsidy for such benefits granted or allowed before a reorganisation and claims for and other matters related to such payment.

These Regulations do not impose a charge on businesses.