

# **THE HOUSING REVENUE ACCOUNT SUBSIDY (WALES)**

## **2003-2004 (AMENDMENT) DETERMINATION 2004**

The National Assembly for Wales, as respects all housing authorities in Wales, in exercise of the powers conferred on the Secretary of State by sections 80 and 87 of the Local Government and Housing Act 1989, and transferred to it by the National Assembly for Wales (Transfer of Functions) Order 1999, after consulting such representatives of local government and relevant professional bodies as appear to it to be appropriate and all other powers enabling it in that behalf, hereby makes the following Determination:

### **Citation and Commencement**

1. This Determination may be cited as the Housing Revenue Account Subsidy (Wales) 2003-2004 (Amendment) Determination 2004, and has effect for the financial year beginning 1 April 2003.

### **Amendment of the Housing Revenue Account Subsidy (Wales) Determination 2003-2004**

2. The Housing Revenue Account Subsidy (Wales) Determination 2003-2004 dated 14 January 2003 is amended as follows:

2.1 In each of paragraphs 2.2(ii), 5.2.2 (i) (b), and in paragraph (c) of the definition of 'V' in paragraph 5.5.1 and in paragraph (c) of the definition of 'W' in paragraph 5.5.1, for

' 365'

there is substituted –

' 366'

2.2 At the beginning of paragraph 6.2.3, following "overpayment", there is inserted "has the same meaning as in regulation 98 of the Regulations save that it";

- 2.3 At the end of paragraph 6.2.3 there is inserted:

"(iii) the period 5 April 2003 to 14 June 2003 inclusive, in the circumstances where delay

by a local authority in taking account of an award of new tax credit in calculating housing benefit results in an amount in rebate being paid which amount would not otherwise have been paid had that award been processed promptly; provided that all conditions set out at (a) to (d) below are met, as follows:

- a. the delay in taking account of the new tax credit award is beyond the authority's control; and
- b. that delay is wholly due to delay in access to new tax credit award details; and
- c. the resultant overpayment would not otherwise have arisen; and
- d. the authority has provided the information required by HB/CTB Circular S3/2003 to DWP by 19 September 2003".

Signed on behalf of the National Assembly for Wales by the Minister for Social Justice and Regeneration.

xx May 2004