SCOTTISH STATUTORY INSTRUMENTS

2026 No. 259

COUNCIL TAX

The Council Tax Reduction (Miscellaneous Amendment) (No. 2) (Scotland) Regulations 2026

Made - - - -	*8th September 2026*
Laid before the Scottish Parliament	*10th September 2026*
Coming into force - -	*6th November 2026*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 80, 113(1) and (2) and paragraph 1 of schedule 2 of the Local Government Finance Act 1992(**a**) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Council Tax Reduction (Miscellaneous Amendment) (No. 2) (Scotland) Regulations 2026 and come into force on 6 November 2026.

Amendment of the Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012

2.—(1) The Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012(**b**) are amended in accordance with paragraphs (2) to (6).

(2) In regulation 20(e) (applicable amount), for "£19.48" substitute "£20.22".

(3) In regulation 48(9) (non-dependant deductions), for sub-paragraph (f) substitute—

"(f) any payment made from a scheme established for the purposes of providing compensation for historical institutional child abuse in the United Kingdom,".

(4) In schedule 3 (sums to be disregarded in the calculation of income other than earnings), omit paragraph 7.

(5) In paragraph 16 of schedule 4 (capital disregards), after sub-paragraph (1H)(**c**) insert—

"(1I) Any payment made from a scheme established for the purposes of providing compensation for historical institutional child abuse in the United Kingdom.

(**a**) 1992 c. 14. Section 80 and paragraph 1 of schedule 2 were amended by paragraph 176 of schedule 13 of the Local Government etc. (Scotland) Act 1994 (c. 39). There are other amendments to section 80 and amendments to section 113(1) and (2) that are not relevant to these Regulations. The functions of the Secretary of State, in so far as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**b**) S.S.I. 2012/319; relevant amending instruments are S.S.I. 2020/25, S.S.I. 2023/268, S.S.I. 2025/24 and S.S.I. 2025/112.

(**c**) Sub-paragraph (1H) was inserted by S.S.I. 2025/112.

(1J) Any payment made under the Mother and Baby Institutions Payment Scheme established by the Mother and Baby Institutions Scheme Act 2023(**a**).".

(6) In paragraph 2 of schedule 5 (amount of alternative maximum council tax reduction), for sub-paragraph (i) substitute—

"(i) any payment made from a scheme established for the purposes of providing compensation for historical institutional child abuse in the United Kingdom,".

Amendment of the Council Tax Reduction (Scotland) Regulations 2021

3.—(1) The Council Tax Reduction (Scotland) Regulations 2021(**b**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 57(1)(b) (meaning of unearned income), omit head (v).

(3) In regulation 75(1A) (special schemes for compensation etc.)(**c**)—

(a) for sub-paragraph (b) substitute—

"(b) any payment made from a scheme established for the purposes of providing compensation for historical institutional child abuse in the United Kingdom,",

(b) at the end of sub-paragraph (i), omit "or",

(c) at the end of sub-paragraph (j) insert ", or

(k) any payment made under the Mother and Baby Institutions Payment Scheme established by the Mother and Baby Institutions Payment Scheme Act 2023.".

JENNY GILRUTH
A member of the Scottish Government

St Andrew's House,
Edinburgh
8th September 2026

(**a**) Number 20 of 2023 of the Acts of the Oireachtas of the Republic of Ireland.
(**b**) S.S.I. 2021/249; relevant amending instruments are S.S.I. 2023/268, S.S.I. 2024/310 and S.S.I. 2025/112.
(**c**) Paragraph (1A) was inserted into regulation 75 by S.S.I. 2023/268.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to the Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012 ("the 2012 Regulations") and the Council Tax Reduction (Scotland) Regulations 2021 ("the 2021 Regulations"). Regulation 2 amends the 2012 Regulations and regulation 3 amends the 2021 Regulations.

Regulation 2(2) amends the 2012 Regulations to uprate the amount of the family premium added to establish the income a person is deemed to need to live on for the purposes of calculating their entitlement to council tax reduction.

Regulations 2(3) and (6) and 3(3)(a) make amendments to broaden the scope under the 2012 and 2021 Regulations of the disregard for payments made by way of compensation for historical child abuse in institutions in the UK. This will no longer be confined to payments made under the scheme established by the Redress for Survivors (Historical Abuse in Care) (Scotland) Act 2021. This covers disregard from treatment as income, including income of adults living with council tax reduction applicants, but who are not their dependants, as well as disregard from capital under the 2021 Regulations. In relation to the 2012 Regulations, regulation 2(5) broadens the scope of the existing capital disregard so that it applies to payments made to persons other than those who have suffered abuse, such as next of kin or nominated beneficiaries of victims, rather than being confined to payments to victims themselves. The existing disregard from capital of payments in respect of historical institutional child abuse in the UK is made in reliance on the general disregard in the 2012 Regulations of payments made by way of compensation for personal injury, limiting it to payments made directly to victims.

In relation to the 2012 Regulations and the 2021 Regulations respectively, regulations 2(4) and 3(2) provide for the omission of reference to widowed mother's allowance, which is no longer payable. Regulations 2(5) and 3(3)(b) and (c) provide for disregard from capital of any payment made to a person under the Mother and Baby Institutions Payment Scheme established by the Mother and Baby Institutions Payment Scheme Act 2023, as compensation for having spent time in a mother and baby institution.

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