STATUTORY INSTRUMENTS

1975 No. 1450

RATING AND VALUATION

The Rate Rebate (Amendment) (No. 2) Regulations 1975

Made - - - -	3*rd September* 1975
Laid before Parliament	9*th September* 1975
Coming into Operation—	
Regulation 7 - -	30*th September* 1975
Remainder - - -	17*th November* 1975

The Secretary of State for the Environment, in exercise of the powers conferred upon him by section 11(1) of the Local Government Act 1974(**a**) and of all other powers enabling him in that behalf, with the consent of the Treasury, hereby makes the following regulations:—

1.—(1) These regulations may be cited as the Rate Rebate (Amendment) (No. 2) Regulations 1975.

(2) Regulation 7 shall come into operation on 30th September 1975 and the remaining regulations shall come into operation on 17th November 1975.

2.—(1) The Interpretation Act 1889(**b**) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(2) In these regulations "the principal regulations" means the Rate Rebate Regulations 1974(**c**).

(3) References in these regulations to "the principal regulations" shall be construed as references to those regulations as amended(**d**).

3. The provisions of regulations 4 to 6 below shall have effect in relation to any week in a rebate period being a week commencing after 16th November 1975.

4. For regulation 7 of the principal regulations (which determines the needs allowance for a residential occupier and any spouse or dependent children of his for the purpose of calculating his entitlement to a rate rebate) there shall be substituted the following:—

"*Needs allowance*

7.—(1) Subject to paragraph (2) below, the needs allowance for each week is—

(*a*) for an individual person who has no dependent children ... ... £21·05

(a) 1974 c. 7. (b) 1889 c. 63. (c) S.I. 1974/411 (1974 I, p. 1294).

(d) The relevant amending instrument is S.I. 1975/327 (1975 I. p. 882).

(*b*) for a married couple ... ... £29·45

(*c*) for an individual person who has a dependent child or children ... ... £29·45

(*d*) for each dependent child of a residential occupier or his spouse ... ... £4·60

(2) The needs allowance for each week is—

(*a*) for an individual person who has no dependent children and who is registered in pursuance of arrangements made under section 29(1) of the National Assistance Act 1948(**a**) (welfare arrangements for handicapped persons) ... ... £22·95

(*b*) for a married couple one of whom is so registered ... £31·35

(*c*) for an individual person who is so registered and who has a dependent child or children ... ... £31·35

(*d*) for a married couple both of whom are so registered £32·45"

5. In regulation 8(2) of the principal regulations (which provides for those items which are to be disregarded in ascertaining the income of the residential occupier and any spouse of his for the purpose of calculating his entitlement to a rate rebate)—

(*a*) in sub-paragraph (*b*) for the sum of "£2·50" there shall be substituted the sum of "£5·00";

(*b*) in sub-paragraph (*g*) for the sum of "£2·00" there shall be substituted the sum of "£4·00";

(*c*) in sub-paragraph (*h*) for the sum of "£2·00" there shall be substituted the sum of "£4·00"; and

(*d*) in sub-paragraph (*i*) for the sum of "£1·00" there shall be substituted the sum of "£4·00".

6. In regulation 8(3) of the principal regulations (which, in respect of certain items which are to be disregarded in ascertaining the income of the residential occupier and any spouse of his, sets a limit beyond which they cannot be aggregated) for the sum of "£2·00" there shall be substituted the sum of "£4·00".

7.—(1) In regulation 19(3) of the principal regulations (which provides for determining when a rate rebate period shall end) after the words "subject to" there shall be added the words "paragraph (4) of this regulation and".

(2) After regulation 19(3) of the principal regulations there shall be added the following paragraphs:—

"(4) A rating authority may determine in respect of any rebate period subsisting on 30th September 1975 which would otherwise end before 16th November 1975 that it shall continue to such date before 17th November 1975 as they shall determine.

(5) Without prejudice to regulations 20 to 23 below a residential occupier shall be entitled to, and the rating authority shall grant, rebate during that part of the rebate period extended by virtue of paragraph (4) above on the same basis as rebate was granted during the original rebate period.".

(**a**) 1948 c. 29.

8. Regulation 4 of the Rate Rebate (Amendment) Regulations 1975 is hereby revoked.

Anthony Crosland,
Secretary of State for the Environment.

2nd September 1975.

We consent.

James A. Dunn,
Donald R. Coleman,
Two of the Lords Commissioners of Her Majesty's Treasury.

3rd September 1975.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the statutory rate rebate scheme provided in the Rate Rebate Regulations 1974.

The amount of rebate to which a residential occupier may be entitled is calculated in part by reference to amounts allowed for his needs and the needs of his spouse and dependent children (the needs allowance) and in part by reference to items which are disregarded in the calculation of his income. These regulations provide for increases in the needs allowances and increases in certain of the items of disregarded income for any week in a rebate period beginning after 16th November 1975.

The Regulations also enable a rating authority to determine that any existing rate rebate period shall continue, upon grant being payable on the same basis as previously, to any date between 1st October 1975 and 16th November 1975 (inclusive).

SI 1975/1450
ISBN 0-11-051450-5

