STATUTORY INSTRUMENTS

1976 No. 1745

RATING AND VALUATION

The Rate Rebate (Amendment) (No. 2) Regulations 1976

Made - - - -	19*th October* 1976
Laid before Parliament	25*th October* 1976
Coming into Operation	15*th November* 1976

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. These regulations may be cited as the Rate Rebate (Amendment) (No. 2) Regulations 1976 and shall come into operation on 15th November 1976.

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. In regulation 2(2) of the principal regulations after the definition of "non-dependant" there shall be inserted—

> ""student" means a person for the time being in receipt, in respect of his attending a course at an institution, or undergoing training, in England or Wales, of an award or grant of any of the classes specified in the Schedule to these Regulations".

4. In relation to any week in a rebate period, being a week commencing after 14th November 1976, regulation 8 of the principal regulations shall be amended by adding at the end of paragraph (2) the following:—

(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. 1976/1458 (1976 III, p 3952).

"(*j*) Where the residential occupier is a student, any amount by which his award or grant is increased on account of his maintaining a home at a place other than that at which he resides during his course.".

5. In regulation 7(1)(*d*) of the principal regulations for the words "or a residential occupier or spouse" there shall be substituted the words "of a residential occupier or his spouse".

6. After regulation 28 there shall be inserted the following Schedule:—

Regulation 2 "SCHEDULE

CLASSES OF AWARD OR GRANT

Class 1: awards bestowed under section 1 of the Education Act 1962**(a)**, other than those in respect of attendance at sandwich courses and part-time courses of teacher training

Class 2: awards bestowed under section 1 of the Education Act 1962 in respect of attendance at sandwich courses

Class 3: awards bestowed under section 2(1) of the Education Act 1962 in respect of attendance at courses of full-time education within the meaning of section 2(2) of that Act

Class 4: grants paid under regulations made under section 3(*a*) of the Education Act 1962 to or in respect of persons undergoing full-time training as teachers

Class 5: awards (other than State Studentships) in respect of attendance at courses designated by or under the State Awards Regulations 1963**(b)**, as amended**(c)**

Class 6: State Studentships

Class 7: awards or grants, being bursaries, scholarships or allowances granted under section 49(1) or 75(*f*) of the Education (Scotland) Act 1962**(d)** other than those in respect of attendance at sandwich courses

Class 8: awards or grants, being bursaries, scholarships or allowances granted under section 49(1) or 75(*f*) of the Education (Scotland) Act 1962 in respect of attendance at sandwich courses

Class 9: Postgraduate Agricultural Studentships awarded by the Ministry of Agriculture, Fisheries and Food

Class 10: Postgraduate Agricultural Studentships awarded by the Department of Agriculture and Fisheries for Scotland

Class 11: awards for courses for orthoptists, physiotherapists, radiographers, remedial gymnasts, dental hygienists and auxiliaries made by the Department of Health and Social Security

Class 12: awards for postgraduate social service courses made by the Department of Health and Social Security

Class 13: Technical Assistance Study Fellowships awarded by the Ministry of Overseas Development

(a) 1962 c. 12. **(b)** S.I. 1963/1223 (1963 II, p. 2035).
(c) S.I. 1969/554, 1975/940 (1969 I, p. 1515; 1975 II, p. 3284).
(d) 1962 c. 47.

Class 14: Postgraduate Studentships, or Postgraduate Fellowships, awarded by the Agricultural Research Council, the Medical Research Council, the Natural Environment Research Council, the Science Research Council, or the Social Science Research Council

Class 15: Postgraduate Bursaries awarded by the Social Science Research Council

Class 16: Intercalated Studentships awarded by the Medical Research Council

Class 17: Bursaries awarded by the United Kingdom Atomic Energy Authority

Class 18: awards by the British Council under British Council Scholarships, Scholarships and Fellowships made under the Commonwealth Scholarship and Fellowship Plan, and Education Fellowships made under the Commonwealth Education Fellowship Scheme.".

in this Schedule

"sandwich course" has the meaning assigned to it by paragraph 1 of Schedule 5 to the Local Education Authorities Awards Regulations 1975(a); and

"state studentship" has the same meaning as in the State Awards Regulations 1963, as amended.

Peter Shore,
Secretary of State
for the Environment.

19th October 1976.

We consent

T. Pendry,
T. E. Graham,
Two of the Lords Commissioners
of Her Majesty's Treasury.

19th October 1976.

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. They make minor drafting amendments to paragraph 1(*d*) of regulation 7 (as amended by the Rate Rebate (Amendment) Regulations 1976) and amend paragraph 2 of regulation 8 by adding a further item to the items of income to be disregarded for the purposes of calculating the amount of rebate.

(a) S.I. 1975/1207 (1975 II, p. 4142).

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