STATUTORY INSTRUMENTS

1975 No. 327

RATING AND VALUATION

The Rate Rebate (Amendment) Regulations 1975

Made - - - -	6*th March* 1975
Laid before Parliament	10*th March* 1975
Coming into Operation	31*st March* 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. These regulations may be cited as the Rate Rebate (Amendment) Regulations 1975 and shall come into operation on 31st March 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. The provisions of these regulations shall have effect in relation to any week in a rebate period being a week commencing after 30th March 1975.

4. For regulation 7 of the principal regulations as amended **(d)** (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	£19·35
(*b*) for a married couple	£26·75
(*c*) for an individual person who has a dependent child or children	£26·75
(*d*) for each dependent child of a residential occupier or his spouse	£4·05

(a) 1974 c. 7. **(b)** 1889 c. 63.
(c) S.I. 1974/411 (1974 1, p. 1294).
(d) The relevant amending instrument is S.I. 1974/1321 (1974 II, p. 5018).

(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) ... ... £20·85

(*b*) for a married couple one of whom is so registered ... £28·25

(*c*) for an individual person who is so registered and who has a dependent child or children ... ... £28·25

(*d*) for a married couple both of whom are so registered ... £29·15".

5. For regulation 8(4) of the principal regulations as amended **(b)** (which provides for the weekly income of a residential occupier and any spouse of his to be notionally increased where their liquid cash resources are £800 or more) there shall be substituted the following—

"(4) If the residential occupier and any spouse of the residential occupier have between them £1,200 or more in liquid cash resources, the weekly income shall be treated as increased by a notional sum equal to 0·1% of the excess over £1,200.".

6. For regulation 14(2) of the principal regulations, as amended **(b)** (which specifies the maximum rebate) there shall be substituted the following—

"(2) For the purpose of these regulations the maximum rebate is—

(*a*) for a dwelling in the area of the Greater London Council £3·00

(*b*) for any other dwelling ... ... £2·50".

7. For regulation 19(1) of the principal regulations as amended **(c)** (which provides for the dates upon which the rebate period shall begin in cases where a rebate is first granted) there shall be substituted the following—

"*Rebate period*

19.—(1) Where a rebate is first granted the rebate period shall begin on the first day of the month in which the application for a rebate was received but where an application is received after the month of April the rating authority may, if in their opinion the circumstances are exceptional—

(*a*) allow the rebate period to begin on 1st April in the year the application was received, or

(*b*) allow the rebate period to begin at such date after 1st April in the year the application was received but before the beginning of the month in which the application was received,

as they may determine.".

(a) 1948 c. 29. **(b)** The amending regulations are not relevant.

(c) The relevant amending instrument is S.I. 1974/1060 (1974 II, p. 3949).

8. The Rate Rebate (Amendment) (No. 1) Regulations 1974**(a)** and the Rate Rebate (Amendment) (No. 3) Regulations 1974**(b)** are hereby revoked but without prejudice to anything duly done, or to any right, privilege obligation, or liability acquired, accrued or incurred, in respect of any week in a rebate period, being a week ending before 31st March 1975.

Anthony Crosland,
Secretary of State for
the Environment.

3rd March 1975.

We consent.

T. Pendry,
M. Cocks,
Two of the Lords Commissioners
of Her Majesty's Treasury.

6th March 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). These regulations provide for increases in the needs allowances for any week in a rebate period beginning after 30th March 1975. The income of a residential occupier is notionally increased where he has liquid cash resources of £800 or more. These regulations increase the amount of liquid cash resources a residential occupier may possess, before his income is notionally increased, to £1,200 or more. The regulations increase the maximum rebate from £2·65 to £3·00 in the G.L.C. area and from £2·15 to £2·50 elsewhere. They also enable the rating authority, where they consider there are exceptional circumstances, to commence a rebate period before the beginning of the month in which the application is received.

(a) S.I. 1974/1060 (1974 II, p. 3949). (b) S.I. 1974/1321 (1974 II, p. 5018).

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