STATUTORY INSTRUMENTS

1980 No. 1625

RATING AND VALUATION

The Rate Rebate (Amendment) Regulations 1980

Made - - - -	*27th October* 1980
Laid before Parliament	*3rd November* 1980
Coming into Operation	*24th November* 1980

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 1980 and shall come into operation on 24th November 1980.

2. In these regulations "the principal regulations" means the Rate Rebate Regulations 1978(b).

3. The provisions of these regulations shall have effect in relation to any week in a rebate period commencing after 23rd November 1980.

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 purposes 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	£34·90
(*b*) for a married couple	£51·70
(*c*) for an individual person who has a dependent child or children	£51·70
(*d*) for each dependent child of a residential occupier or his spouse	£9·60

(2) The needs allowance for each week is—

(*a*) for an individual person who has no dependent children and to whom section 29(1) of the National Assistance Act 1948(c) (welfare arrangements for handicapped persons) applies	£38·90

(a) 1974 c. 7.
(b) S.I. 1978/1504; relevant amending instrument is S.I. 1979/1303
(c) 1948 c. 29.

(*b*) for a married couple to one of whom section 29 applies £55·70
(*c*) for an individual person to whom section 29 applies and who has a dependent child or children ..... £55·70
(*d*) for a married couple to both of whom section 29 applies £57·65".

5. Regulation 8 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) shall be amended, as follows:—

(*a*) for sub-paragraph 2(*b*) there shall be substituted—

"(*b*) unless paragraph (*bb*) below applies, £9·60 of the earnings of the residential occupier and £5 of the earnings of the residential occupier's spouse or, if the residential occupier so requests in writing, £5 of the earnings of the residential occupier and £9·60 of the earnings of his spouse;

(*bb*) where the residential occupier earns less than his spouse and the authority so determines, £5 of the earnings (if any) of the residential occupier and £9·60 of the earnings of his spouse or, if the residential so requests in writing, £9·60 of the earnings of the residential occupier and £5 of the earnings of his spouse;";

(*b*) for sub-paragraph 2(*h*) there shall be substituted—

"(*h*) £4·00 of any of the following, namely—

(i) a widow's pension under section 68(2) of the Social Security Act 1975(**a**) payable by virtue of paragraphs (*a*) to (*d*) thereof;

(ii) a special widow's pension (not including any allowance in respect of children);

(iii) any payment which the Secretary of State accepts as being analogous to a payment mentioned in sub-paragraph (i) or (ii) above,";

(*c*) after paragraph 2(*j*) there shall be inserted:—

'(*k*) where the residential occupier attends a training course under the Training Opportunities Scheme established under section 2(1) of the Employment and Training Act 1973(**b**) and receives an allowance from the Manpower Services Commission under the provisions of section 2(2)(*d*) of that Act and that allowance includes an amount expressed to be a lodging allowance, £10 of that lodging allowance.".

6. In regulation 12(1) of the principal regulations (which specifies deductions from a rebate in respect of non-dependants)—

(*a*) in sub-paragraph (*a*) for the sum of £0·65 there shall be substituted the sum of £0·75;

(*b*) in sub-paragraph (*b*) for the sum of £0·95 there shall be substituted the sum of £1·10;

(*c*) in sub-paragraph (*c*) for the sum of £0·40 there shall be substituted the sum of £0·45;

(*d*) in sub-paragraph (*d*) for the sum of £0·40 there shall be substituted the sum of £0·45;

(*e*) in sub-paragraph (*e*) for the sum of £0·40 there shall be substituted the sum of £0·45.

(**a**) 1975 c. 14. (**b**) 1973 c. 50.

7. For regulation 14(2) of the principal regulations (which specifies the maximum rebate) there shall be substituted the following:—

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

(*a*) for a dwelling in the area of the Greater London Council £6·75

(*b*) for any other dwelling £4·80.".

Michael R. D. Heseltine,
Secretary of State for the Environment.

20th October 1980.

We consent,

David Waddington,
Peter Morrison,
Two of the Lords Commissioners of Her Majesty's Treasury.

27th October 1980.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations amend the statutory rate rebate scheme provided for in the Rate Rebate Regulations 1978. 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), in part by reference to amounts to be deducted for non-dependants and in part by reference to items which are to be disregarded in the calculation of his income. These Regulations provide for increases in the needs allowances, increases in the amounts to be deducted for non-dependants and increases in certain of the items to be disregarded in any week in a rebate period beginning after 23rd November 1980. They add a further item to the items to be disregarded. They also provide for the increased amount of the residential occupier's earnings which is to be disregarded to be attributed, in certain circumstances, to his spouse. The Regulations increase the maximum rebate from £4·50 to £6·75 in the GLC area and from £3·20 to £4·80 elsewhere.

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