STATUTORY INSTRUMENTS

1978 No. 1399 (S. 127)

RATING AND VALUATION

The Rate Rebate (Scotland) Amendment (No. 2) Regulations 1978

Made - - -	21*st September* 1978
Laid before Parliament	5*th October* 1978
Coming into Operation	12*th November* 1978

In exercise of the powers conferred on me by section 112 of the Local Government (Scotland) Act 1973(**a**) and of all other powers enabling me in that behalf, I hereby, with the consent of the Treasury, make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Rate Rebate (Scotland) Amendment (No. 2) Regulations 1978 and shall come into operation on 12th November, 1978.

Interpretation

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 (Scotland) Regulations 1974(**c**) as amended (**d**) and other words and expressions have the same meaning as in the principal regulations.

Amendment of principal regulations

3. For the purposes of rebate for any week in a rebate period being a week commencing after 12th November 1978:—

(*a*) for Schedule 1 to the principal regulations there shall be substituted Schedule 1 to these regulations;

(*b*) for Schedule 2 to the principal regulations there shall be substituted Schedule 2 to these regulations.

Revocations

4.—(1) The Rate Rebate (Scotland) Amendment Regulations 1976(**e**) and the Rate Rebate (Scotland) Amendment Regulations 1977(**f**) are hereby revoked.

(**a**) 1973 c. 65. (**b**) 1889 c. 63. (**c**) S.I. 1974/600.
(**d**) The relevant amending instruments are S.I. 1976/1756, 1977/1576.
(**e**) S.I. 1976/1756. (**f**) S.I. 1977/1576.

(2) Section 38 of the Interpretation Act 1889 shall apply as if these regulations were an Act of Parliament and as if the regulations revoked by these regulations were Acts of Parliament repealed by an Act of Parliament.

Bruce Millan,
One of Her Majesty's Principal Secretaries of State.

New St. Andrew's House,
Edinburgh.
12th September 1978.

We consent,

T. M. Cox,
A. W. Stallard,
Two of the Lords Commissioners of Her Majesty's Treasury.

21st September 1978.

Regulation 3

SCHEDULE 1

NEEDS ALLOWANCE

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

(*a*)	for an individual person who has no dependent children	£27·25
(*b*)	for a married couple	£39·45
(*c*)	for an individual person who has a dependent child or children	£39·45
(*d*)	for each dependent child of an applicant or his spouse	£6·55

(2) The needs allowance for each week is:—

(*a*)	for an individual person who has no dependent children and who is a chronically sick or disabled person	£30·15
(*b*)	for a married couple, one of whom is a chronically sick or disabled person	£42·35
(*c*)	for an individual person who is a chronically sick or disabled person and who has a dependent child or children..	£42·35
(*d*)	for a married couple, both of whom are chronically sick or disabled persons	£44·00

(3) In sub-paragraph (2) above, any reference to a chronically sick or disabled person is a reference to a person in need under section 12 of the Social Work (Scotland) Act 1968(**a**) as read with section 1 of the Chronically Sick and Disabled Persons (Scotland) Act 1972(**b**).

(**a**) 1968 c. 49. (**b**) 1972 c. 51.

Regulation 3

SCHEDULE 2

1.—(1) The deductions from a rebate in respect of non-dependants are for each week:—

(*a*)	for each person aged 18 years or more, but under 21 years and neither undergoing full-time instruction at an educational establishment nor in receipt of supplementary benefit	£0·55
(*b*)	for each person aged 21 years or more, but under pensionable age and neither undergoing full-time instruction at an educational establishment nor in receipt of supplementary benefit except in the case mentioned in paragraph (*e*) below	£0·80
(*c*)	for each person in receipt of supplementary benefit	£0·35
(*d*)	for each person of pensionable age not in receipt of supplementary benefit except in the case mentioned in paragraph (*e*) below	£0·35
(*e*)	for a married couple where the husband is of pensionable age and not in receipt of supplementary benefit	£0·35

(2) If any person is in receipt of supplementary benefit for himself and also for his spouse, they shall be treated as one person for the purposes of this Schedule.

EXPLANATORY NOTE

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

These Regulations prescribe for any week in a rebate period being a week commencing after 12th November 1978, increases in (*a*) the scale of needs allowances and (*b*) the amounts deductible in respect of non-dependants, by reference to which rate rebates are calculated. The amounts of the needs allowances were last increased by the Rate Rebate (Scotland) Amendment Regulations 1977 and the amounts deductible in respect of non-dependants were increased by the Rate Rebate (Scotland) Amendment Regulations 1976, both of which are revoked by these regulations.

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