STATUTORY INSTRUMENTS

1979 No. 1307 (S. 109)

RATING AND VALUATION

The Rate Rebate (Scotland) Amendment Regulations 1979

Made - - - -	*17th October* 1979
Laid before Parliament	*23rd October* 1979
Coming into Operation	*12th November* 1979

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 Regulations 1979 and shall come into operation on 12th November 1979.

Interpretation

2. In these regulations "the principal regulations" means the Rate Rebate (Scotland) Regulations 1974**(b)** 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 11th November 1979:—

(*a*) for the sub-paragraph of regulation 2(3) of the principal regulations which defines "dependent child" there shall be substituted the following:

" "dependent child" means a person who resides in the house occupied by the applicant and whose requirements are provided for, in whole or in part, by the applicant or his spouse and who is either under the age of 16 or of or over that age but receiving full-time instruction at any university, college or other educational establishment, and in determining whether a person undergoing full-time education or instruction is residing in the house occupied by the applicant, no account shall be taken of that person's absences during term-time;";

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

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

(a) 1973 c. 65.
(b) S.I. 1974/600: the relevant amending instrument is S.I. 1978/1399.

Revocations

4. The Rate Rebate (Scotland) Amendment (No. 2) Regulations 1978**(a)** are hereby revoked.

George Younger,
One of Her Majesty's Principal Secretaries of State.

New St. Andrew's House,
Edinburgh.
11th October 1979.

We consent,

J. A. Douglas-Hamilton,

Peter Morrison,

Two of the Lords Commissioners of Her Majesty's Treasury.

17th October 1979.

Regulation 3

SCHEDULE 1

NEEDS ALLOWANCE

1. Subject to paragraph 2 below, the needs allowance for each week is:—	
(*a*) for an individual person who has no dependent children ...	£31·05
(*b*) for a married couple	£45·55
(*c*) for an individual person who has a dependent child or dependent children	£45·55
(*d*) for each dependent child of an applicant or his spouse	£7·70
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	£34·60
(*b*) for a married couple, one of whom is a chronically sick or disabled person	£49·10

(a) S.I. 1978/1399

(*c*) for an individual person who is a chronically sick or disabled person and who has a dependent child or dependent children ... £49·10

(*d*) for a married couple, both of whom are chronically sick or disabled persons ... ... £50·80

3. In 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)**.

Regulation 3

SCHEDULE 2

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 ... ... £0·65

(*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 ... ... £0·95

(*c*) for each person in receipt of supplementary benefit ... ... £0·40

(*d*) for each person of pensionable age not in receipt of supplementary benefit except in the case mentioned in paragraph (*e*) below ... £0·40

(*e*) for a married couple where the husband is of pensionable age and not in receipt of supplementary benefit ... ... £0·40

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

EXPLANATORY NOTE

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

These Regulations amend the Rate Rebate (Scotland) Regulations 1974. They provide for any week in a rebate period being a week commencing after 11th November 1979, that a person undergoing full-time education will not cease to be within the definition of "dependent child" solely by reason of his absence from an applicant's household during term-time. They also prescribe for any such week 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 and the amounts deductible in respect of non-dependants were last increased by the Rate Rebate (Scotland) Amendment (No. 2) Regulations 1978, which are revoked by these regulations.

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

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