STATUTORY INSTRUMENTS

1974 No. 1499

HOUSING, ENGLAND AND WALES

The Rent Allowance Schemes (England and Wales) Regulations 1974

Made - - - -	*6th September* 1974
Laid before Parliament	*10th September* 1974
Coming into Operation	*23rd September* 1974

The Secretary of State for the Environment as respects England and the Secretary of State for Wales as respects Wales, with the consent of the Treasury and for the purpose of making in Schedule 3 to the Housing Finance Act 1972(**a**) variations consequential upon provision made by virtue of paragraph (*c*) of section 25(3) of that Act (added by section 11(7)(*b*) of the Rent Act 1974(**b**)), in exercise of the powers conferred on them by section 20(2) of the Housing Finance Act 1972 and paragraph 5 of Schedule 3 to the Rent Act 1974 and of all other powers enabling them in that behalf, hereby make the following regulatons:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Rent Allowance Schemes (England and Wales) Regulations 1974 and shall come into operation on 23rd September 1974.

(2) The Interpretation Act 1889(**c**) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(3) In these regulations—

"the Act" means the Housing Finance Act 1972, and

"Schedule 3" means Schedule 3 to the Act.

(4) In these regulations, unless the context otherwise requires, references to any enactment shall be construed as references thereto as varied by regulations made under that enactment itself and as amended, varied, extended or applied by or under any other enactment.

(**a**) 1972 c. 47.
(**b**) 1974 c. 51.
(**c**) 1889 c. 63.

Effective date for variation of Schedule 3

2. Without prejudice to the making at any time before 30th September 1974 of a scheme under Part II of the Act expressed to come into force on that date, being a scheme taking account of the variations of paragraph 9 of Schedule 3 made by these regulations, the said variations shall take effect on that date and not before.

Variations of paragraph 9 *of Schedule* 3

3. In relation to any week in an allowance period, being a week commencing after 29th September 1974, paragraph 9 of Schedule 3 shall have effect with the following variations—

(*a*) in sub-paragraph (2) there shall be inserted, at the end, the words "and, where the tenant is a qualifying student—", and thereafter the following new paragraph—

"(*l*) an amount equal to any amount prescribed as a deduction for that week by virtue of section 25(3)(*c*) of this Act.";

(*b*) in sub-paragraph (5) there shall be inserted, in such position as retains the alphabetical order, the following new definition—

" "qualifying student" has the meaning assigned to it by any regulations for the time being in force under section 25(3)(*c*) of this Act;".

Anthony Crosland,

Secretary of State for the Environment.

30th August 1974.

Signed by authority of the Secretary of State for Wales.

Edward Rowlands,

Parliamentary Under-Secretary of State
Welsh Office.

2nd September 1974.

We consent

Tom Pendry,
M. Cocks,

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

6th September 1974.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, which apply to England and Wales, further vary Schedule 3 to the Housing Finance Act 1972, as amended by the Furnished Lettings (Rent Allowances) Act 1973 (c. 6) and the Rent Act 1974, with which, subject to the other provisions of the Housing Finance Act, every rent allowance scheme under Part II of that Act must conform.

Paragraph 9 (Income of tenant and spouse) of Schedule 3 is varied by the addition of a further head of income to be disregarded in ascertaining the weekly income of a tenant and his spouse for the purposes of calculating his rent allowance, so that where for any week in an allowance period a tenant who is a student is subject to a deduction from the amount of his rent eligible to be met by an allowance by virtue of section 25(3)(*c*) of the Housing Finance Act (added by section 11(7)(*b*) of the Rent Act), which enables such a deduction to be prescribed, his weekly income shall be offset by an equivalent amount.

The effective date for the variations made by the regulations is 30th September 1974, although schemes taking account of them, and expressed to come into force on 30th September 1974, may be made before that date.

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