STATUTORY INSTRUMENTS

1974 No. 421

HOUSING, ENGLAND AND WALES

The Rent Rebate and Rent Allowance Schemes (England) Regulations 1974

Made - - -	13*th March* 1974
Laid before Parliament	15*th March* 1974
Coming into Operation	18*th March* 1974

The Secretary of State for the Environment, having referred his proposals to make regulations under section 20(2) of the Housing Finance Act 1972(**a**) to the Advisory Committee on Rent Rebates and Rent Allowances pursuant to section 20(3) of that Act, and with the consent of the Treasury, in exercise of the powers conferred on him by the said section 20(2), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Application, citation, commencement and interpretation

1.—(1) These regulations, which apply to England (except Monmouthshire), may be cited as the Rent Rebate and Rent Allowance Schemes (England) Regulations 1974 and shall come into operation on 18th March 1974.

(2) The Interpretation Act 1889(**b**) 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;

"Schedule 3" means Schedule 3 to the Act, and

"Schedule 4" means Schedule 4 to the Act.

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

Effective date for variation of Schedules 3 *and* 4

2. Without prejudice to the making at any time before 1st April 1974 of a scheme under Part II of the Act expressed to come into operation on that date, being a scheme taking account of the variations of the provisions of

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

Schedule 3 and Schedule 4 made by these regulations, the said variations shall take effect on that date and not before.

Variation of Schedule 3

3. In relation to any week in a rebate period or allowance period, being a week commencing after 31st March 1974, paragraph 12(1)(*c*), (*d*) and (*e*) of Schedule 3 shall have effect with the substitution for each of the references therein to £0·70 of a reference to £0·60.

Variation of Schedule 4

4. In relation to any application for a further rebate or allowance made after 31st March 1974, paragraph 10 of Schedule 4 shall have effect with the substitution for sub-paragraph (4) thereof of the following sub-paragraph—

"(4) If the application is made at any later date, the new rebate period or allowance period shall commence at the commencement of the rental period in which the application for a further rebate or allowance was made ("the relevant rental period"):

Provided that—

(i) where a rebate period or allowance period terminates during the relevant rental period, the new rebate period or allowance period shall commence with the first rental period after the end of the former rebate period or allowance period; and

(ii) where the commencement of the relevant rental period is later than the commencement of the first rental period after the end of the former rebate period or allowance period, the authority may, if in their opinion the circumstances are exceptional—

(*a*) allow the new period to commence at the commencement of the first rental period after the end of the former rebate or allowance period, or

(*b*) allow the new period to commence at such later date (not being a date later than the commencement of the relevant rental period) as they may determine."

Anthony Crosland,
Secretary of State for the Environment.

13th March 1974.

We consent.

James Hamilton,
T. Pendry,
Two of the Lords Commissioners of Her Majesty's Treasury.

13th March 1974.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations (which apply to England, except Monmouthshire) further vary the provisions of Schedules 3 and 4 to the Housing Finance Act 1972, as amended by the Furnished Lettings (Rent Allowances) Act 1973 (1973 c.6.), with which, subject to the other provisions of the Housing Finance Act, every rent rebate scheme and rent allowance scheme under Part II of that Act must conform.

They provide first for a reduction of 10 pence per week in the deductions required to be made from a rebate or allowance for each week in respect of certain non-dependants.

They provide secondly for the substitution of a new sub-paragraph (4) in paragraph 10 (Application for further rebate or allowance) of Schedule 4, so that where applications for further rebates or allowances are made later than one month after the end of the former rebate period or allowance period, the further rebates or allowances will normally be granted from the commencement of the rental period in which the applications were made, as is the case where rebates or allowances are first granted. Provision is also made for backdating to an earlier date in certain cases, at the discretion of authorities if in their opinion the circumstances are exceptional.

The effective date for the variations is 1st April 1974, although schemes taking account of them, and expressed to come into force on 1st April 1974, may be made before that date.

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