STATUTORY INSTRUMENTS

1977 No. 1581 (S.111)

HOUSING, SCOTLAND

The Rent Rebate and Rent Allowance Schemes (Scotland) Regulations 1977

Made - - - -	*16th September* 1977
Laid before Parliament	*5th October* 1977
Coming into Operation	*14th November* 1977

In exercise of the powers conferred on me by section 17(2) of the Housing (Financial Provisions) (Scotland) Act 1972**(a)** and of all other powers enabling me in that behalf, and having consulted with such associations of local authorities as appear to me to be concerned and with any local authority with whom consultation appears to me to be desirable, I hereby, with the consent of the Treasury, make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Rent Rebate and Rent Allowance Schemes (Scotland) Regulations 1977 and shall come into operation on 14th November 1977.

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 Act" means the Housing (Financial Provisions) (Scotland) Act 1972.

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

Variation of paragraph 8 *of Schedule* 2

3. In relation to any week in a rebate period or allowance period, being a week commencing after 13th November 1977 the following sub-paragraphs shall be substituted for sub-paragraphs (1) and (2) of paragraph 8 of Schedule 2 to the Act, as amended **(c)**:—

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

(*a*) for an individual person who has no dependent children	£25·25
(*b*) for a married couple	£36·25

(a) 1972 c. 46. **(b)** 1889 c. 63.
(c) The relevant amendment is: S.I. 1976/1755 (1976 III, p. 4632).

(*c*) for an individual person who has a dependent child or children ... ... £36·25

(*d*) for each dependent child of a tenant or his spouse ... £6·10

(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 ... ... £27·85

(*b*) for a married couple, one of whom is a chronically sick or disabled person ... ... £38·85

(*c*) for an individual person who is a chronically sick or disabled person and who has a dependent child or children £38·85

(*d*) for a married couple both of whom are chronically sick or disabled persons ... ... £40·35"

Variation of paragraph 9 *of Schedule* 2

4. In relation to any week in a rebate period or allowance period, being a week commencing after 13th November 1977, sub-paragraph (4) of paragraph 9 of Schedule 2 to the Act shall be varied by omitting from paragraph (*b*) of the definition of "special widow's pension" the words "or the Injuries in War (Compensation) Act 1915".

Variation of paragraph 14 *of Schedule* 2

5. In relation to any week in a rebate period or allowance period, being a week commencing after 13th November 1977, paragraph 14 of Schedule 2 to the Act shall be varied by substituting for the figure "£6·50" the figure "£10".

Variation of paragraph 4 *of Schedule* 3

6. In paragraph 4(2)(*b*) of Schedule 3 to the Act as amended **(a)** for the words "March or April 1976" there shall be substituted "March or April 1977".

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

New St. Andrew's House,
Edinburgh.
8th September 1977.

We consent,
16th September 1977.

J. Dormand,
T. E. Graham,
Two of the Lords Commissioners of Her Majesty's Treasury.

(a) The relevant amendment is: S.I. 1976/1755 (1976 III, p. 4632).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Paragraphs 8(1) and (2) of Schedule 2 to the Housing (Financial Provisions) (Scotland) Act 1972 specify the needs allowances by reference to which entitlement to rent rebates and allowances is calculated. The amounts of the needs allowances were last increased by Regulation 3 of the Rent Rebate and Rent Allowance Schemes (Scotland) Regulations 1976.

These Regulations make further increases in the needs allowances in relation to any week of a rebate period or allowance period, being a week commencing after 13th November 1977. The Regulations also amend paragraph 4(2)(*b*) of Schedule 3 to the 1972 Act so as to allow local authorities to extend by two months the rebate or allowance period of six months where the period commenced during March or April 1977.

Regulation 4 varies paragraph 9 of Schedule 2 to the 1972 Act to remove from the definition of "special widow's pension" the reference to the Injuries in War (Compensation) Act 1915 as no pensions are now payable under that Act.

Regulation 5 varies paragraph 14 of Schedule 2 to the 1972 Act to increase the maximum amount of rebate or allowance payable for any week of a rebate or allowance period, being a week commencing after 13th November 1977.

SI 1977/1581
ISBN 0-11-071581-0

