STATUTORY INSTRUMENTS

1975 No. 1322 (S.196)

HOUSING, SCOTLAND

The Rent Rebate and Rent Allowance Schemes (Students) (Scotland) Regulations 1975

Made - - - -	*4th August* 1975
Laid before Parliament	*11th August* 1975
Coming into Operation	*1st September* 1975

In exercise of the powers conferred on me by paragraph 17(3) (added by section 12(5)(b) of the Rent Act 1974 **(a)**) of Schedule 2 to the Housing (Financial Provisions) (Scotland) Act 1972 **(b)** and of all other powers enabling me in that behalf, I hereby make the following regulations:—

Citation and Commencement

1. These regulations, which may be cited as the Rent Rebate and Rent Allowance Schemes (Students) (Scotland) Regulations 1975, shall come into operation on 1st September 1975.

Interpretation

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

(2) References in these regulations to a numbered regulation, or to a numbered class of awards or grants, shall be respectively construed unless the context otherwise requires as references to the regulation bearing that number in these regulations or to the class assigned that number in paragraph (4) of this regulation.

(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 other enactment.

(4) In these regulations—

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

"qualifying student" means a person for the time being in receipt of, in respect of attending courses at universities, colleges of education or other establish-

(a) 1974 c. 51.
(b) 1972 c. 46.
(c) 1889 c. 63.

ments of further education in Scotland, an award or grant of any of the following classes—

Class 1: awards or grants, being bursaries, scholarships or allowances granted under section 49(1) or 75(f) of the Education (Scotland) Act 1962(a) other than those in respect of attendance at sandwich courses.

Class 2: awards or grants, being bursaries, scholarships or allowances granted under section 49(1) or 75(f) of the Education (Scotland) Act 1962 in respect of attendance at sandwich courses.

Class 3: awards or grants determined by the Secretary of State to be analogous to either of the preceding classes of awards or grants.

"sandwich course" means a course consisting of alternative periods of full-time study in an establishment and associated industrial, professional or commercial experience at a place outside the establishment so organised that, taking the course as a whole, the student attends the periods of full-time study for an average of not less than 19 weeks in each year.

Prescribed Deduction

3. The amount of £5 is hereby prescribed for the purposes of paragraph 17(3) of Schedule 2 to the Act as a deduction from the rent of a tenant who is a qualifying student, for the periods hereinafter provided.

Period of Deduction

4. The deduction prescribed by regulation 3 shall be made from the rent of a tenant who is a qualifying student for each week in a rebate or an allowance period, being a week commencing after 31st August 1975 and being a week in any of the periods specified in column (2) of the table to this regulation opposite and in relation to the class of award or grant of which he is for the time being in receipt specified in column (1) thereof.

TABLE

Class of Award or Grant (1)	Period of Deduction (2)
Class 1	Each term, and any period of the vacation in respect of which payments are made at the rate applicable to additional attendance at the course.
Class 2	Each period of full-time study in an establishment, and any period of the vacation in respect of which payments are made at the rate applicable to additional periods of such study.
Class 3	The period equivalent to each period specified in relation to the class to which the award or grant has been determined to be analogous.

(a) 1962 c. 47.

5. The Rent Allowance Schemes (Students) (Scotland) Regulations 1974**(a)** shall cease to have effect for the purposes of any application for allowances relating to any week commencing after 31st August 1975.

William Ross,

One of Her Majesty's Principal Secretaries of State.

New St. Andrew's House,
Edinburgh.

4th August 1975.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations prescribe a deduction of £5 to be made in calculating the rent on the basis of which any rent rebate or rent allowance under Part II (rent rebates and rent allowances) of the Housing (Financial Provisions) (Scotland) Act 1972 may be payable in the case of tenants who are students in receipt of awards or grants in respect of their attendance at full-time courses at universities, colleges of education or other establishments of further education in Scotland. They also provide for the periods during which the deduction is to be made.

Provision for a corresponding adjustment to the income of tenants who are students in receipt of such awards or grants is made by the Rent Allowance Schemes (Scotland) Regulations 1974 (S.I. 1974/1505), as amended by the Rent Rebate and Rent Allowance Schemes (Scotland) (No. 2) Regulations 1975 (S.I. 1975/1321) made under section 17(2) of the said Act of 1972.

The Regulations come into operation on 1st September 1975.

(a) 1974/1504 (1974 III, p. 5767).

SI 1975/1322
ISBN 0-11-051322-3

