

Status: Point in time view as at 14/12/2022.

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SCOTTISH STATUTORY INSTRUMENTS

2012 No. 303

COUNCIL TAX

The Council Tax Reduction (Scotland) Regulations 2012

Made - - - - 7th November 2012
*Laid before the Scottish
Parliament* - - - - 9th November 2012
Coming into force - - 28th January 2013

^{F1}The Scottish Ministers make the following Regulations in exercise of the powers in sections 80 and 113(1) and (2) of, and paragraph 1 of Schedule 2 to, the Local Government Finance Act 1992 ^{M1} and all other powers enabling them to do so.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), 97-101)

Marginal Citations

M1 [1992 c.14](#). Section 80 was amended by paragraph 176 of Schedule 13 to the [Local Government etc. \(Scotland\) Act 1994 \(c.39\)](#). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the [Scotland Act 1998 \(c.46\)](#).

PART 1

General

Citation and commencement

^{F1}1.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), 97-101)

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Interpretation

2.—^{F1}(1) ^{F1}...

^{F1}...

“the 1992 Act” means the Social Security Contributions and Benefits Act 1992 ^{M2};

^{F1}...

“local authority” in Scotland means a council constituted by section 2 of the Local Government etc. (Scotland) Act 1994 ^{M3};

^{F1}...

“self-employed earner” has the meaning given by section 2(1)(b) of the 1992 Act (categories of earners);

^{F1}...

“voluntary organisation” means a body, other than a public or local authority, the activities of which are carried on otherwise than for profit;

^{F1}...

- ^{F1}(2)
- ^{F1}(3)
- ^{F1}(4)
- ^{F1}(5)
- ^{F1}(6)
- ^{F1}(7)
- ^{F1}(8)
- ^{F1}(9)]

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Marginal Citations
M2 1992 c.4.
M3 1994 c.39. Section 2 was amended by paragraph 232(1) of Schedule 22 to the Environment Act 1995 (c.25).

Non-dependants

^{F1}3.

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Young persons

^{F14}.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Occupation of a dwelling as a home

^{F15}.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Remunerative work

^{F16}.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

PART 2

Families

Entitlement of only one member of a family

^{F17}.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Couples: polygamous marriages

^{F18}.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

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Applicant in receipt of income-related benefit

^{F1}9.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Responsibility for another person

^{F1}10.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Membership of a household

^{F1}11.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

PART 3

Application of the Regulations

Application

^{F1}12.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Prescribed years

^{F1}13.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

PART 4

Entitlement to council tax reduction

Conditions of entitlement to council tax reduction

^{F1}14.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Conditions of entitlement to council tax reduction – dwellings in bands E to H

^{F1}14A.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Persons not entitled to council tax reduction: absentees

^{F1}15.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Persons not entitled to council tax reduction: persons treated as not being in Great Britain

^{F1}16.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Persons treated as being in Great Britain

^{F1}17.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

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Temporary absence from Great Britain

F118.

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Persons not entitled to council tax reduction: persons subject to immigration control

F119.

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Persons not entitled to council tax reduction: students

F120.

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Non-recovery of council tax arrears caused by official error

F120A.

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

PART 5

Applicable amount

Applicable amount

F121.

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Applicable amount: polygamous marriages.

F122.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Transitional family premium

F122A.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Applicable amount: persons who have an award of universal credit

F123.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

PART 6

Income and capital

CHAPTER 1

General

Calculation of income and capital of members of applicant's family and of a polygamous marriage

F124.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Circumstances in which capital and income of non-dependant is to be treated as applicant's

F125.

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Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), 97-101)

CHAPTER 2

Income and capital where there is an award of universal credit

Calculation of income and capital: persons who have an award of universal credit

F126.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), 97-101)

CHAPTER 3

Income

Calculation of income on a weekly basis

F127.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), 97-101)

Treatment of child care charges

F128.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), 97-101)

Average weekly earnings of employed earners

F129.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), 97-101)

Average weekly earnings of self-employed earners

^{F1}30.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Average weekly income other than earnings

^{F1}31.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Calculation of average weekly income from ... tax credits

^{F1}32.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Calculation of weekly income

^{F1}33.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

CHAPTER 4

Employed earners

Earnings of employed earners

^{F1}34.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

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Calculation of net earnings of employed earners

F135.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

CHAPTER 5

Self-employed earners

Earnings of self-employed earners

F136.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Calculation of net profit of self-employed earners

37.—(1) For the purposes of regulation 30 (average weekly earnings of self-employed earners) the earnings of an applicant to be taken into account are—

- (a) in the case of a self-employed earner who is engaged in employment on that earner's own account, the net profit derived from that employment;
- (b) in the case of a self-employed earner whose employment is carried on in partnership or is that of a share fisherman within the meaning of the Social Security (Mariners' Benefits) Regulations 1975 ^{M4}, that earner's share of the net profit derived from that employment, less—
 - (i) an amount in respect of income tax and social security contributions payable under the 1992 Act calculated in accordance with regulation 38 (deduction of tax and contributions for self-employed earners); and
 - (ii) one-half of the amount calculated in accordance with paragraph (11) in respect of any qualifying premium.

(2) Any sum, where applicable, specified in Schedule 3 is to be disregarded when calculating a self-employed earner's net profit.

(3) For the purposes of paragraph (1)(a) the net profit of the employment is, except where paragraph (9) applies, to be calculated by taking into account the earnings of the employment over the assessment period less—

- (a) subject to paragraphs (5) to (8), any expenses wholly and exclusively incurred in that period for the purposes of that employment;
- (b) an amount in respect of—
 - (i) income tax; and
 - (ii) social security contributions payable under the 1992 Act; and
- (c) one-half of the amount calculated in accordance with paragraph (11) in respect of any qualifying premium.

(4) For the purposes of paragraph (1)(b) the net profit of the employment is to be calculated by taking into account the earnings of the employment over the assessment period less, subject to paragraphs (5) to (8), any expenses wholly and exclusively incurred in that period for the purposes of the employment.

(5) Subject to paragraph (6), no deduction is to be made under paragraph (3)(a) or (4), in respect of—

- (a) any capital expenditure;
- (b) the depreciation of any capital asset;
- (c) any sum employed or intended to be employed in the setting up or expansion of the employment;
- (d) any loss incurred before the beginning of the assessment period;
- (e) the repayment of capital on any loan taken out for the purposes of the employment;
- (f) any expenses incurred in providing business entertainment; or
- (g) any debts, except bad debts proved to be bad, but this sub-paragraph does not apply to any expenses incurred in the recovery of a debt.

(6) A deduction is to be made under paragraph (3)(a) or (4) in respect of the repayment of capital on any loan used for—

- (a) the replacement in the course of business of equipment or machinery; and
- (b) the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair.

(7) The relevant authority is to refuse to make a deduction in respect of any expenses under paragraph (3)(a) or (4) where it is not satisfied given the nature and the amount of the expense that it has been reasonably incurred.

(8) For the avoidance of doubt—

- (a) a deduction is not to be made under paragraph (3)(a) or (4) in respect of any sum unless it has been expended for the purposes of the employment;
- (b) a deduction is to be made under paragraph (3)(a) or (4) in respect of—
 - (i) the excess of any value added tax paid over value added tax received in the assessment period;
 - (ii) any income expended in the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair; and
 - (iii) any payment of interest on a loan taken out for the purposes of the employment.

(9) Where an applicant is engaged in employment as a child minder the net profit of the employment is to be one-third of the earnings of that employment, less—

- (a) an amount in respect of—
 - (i) income tax; and
 - (ii) social security contributions payable under the 1992 Act; calculated in accordance with regulation 38 (deduction of tax and contributions of self-employed earners); and
- (b) one-half of the amount calculated in accordance with paragraph (11) in respect of any qualifying premium.

(10) For the avoidance of doubt where an applicant is engaged in employment as a self-employed earner and is also engaged in one or more other employments as a self-employed or employed earner

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any loss incurred in any one of those employments is not to be offset against earnings in any other of the applicant's employments.

(11) The amount in respect of any qualifying premium is to be calculated by multiplying the daily amount of the qualifying premium by the number equal to the number of days in the assessment period, and for the purposes of this regulation the daily amount of the qualifying premium is to be determined—

- (a) where the qualifying premium is payable monthly, by multiplying the amount of the qualifying premium by 12 and dividing the product by 365; and
- (b) in any other case, by dividing the amount of the qualifying premium by the number equal to the number of days in the period to which the qualifying premium relates.

(12) In this regulation “qualifying premium” means any premium which is payable periodically in respect of a personal pension scheme and is payable on or after the date of the application.

Modifications etc. (not altering text)

C1 Regs. 37, 38 applied (with modifications) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), regs. 1, **51(9)** (with regs. 2, 3, 97-101)

Marginal Citations

M4 [S.I. 1975/529](#).

Deduction of tax and contributions of self-employed earners

38.—(1) The amount to be deducted in respect of income tax under regulation 37(1)(b)(i), (3)(b)(i) or (9)(a)(i) (calculation of net profit of self-employed earners) is to be calculated on the basis of the amount of chargeable income and as if that income was assessable to income tax at the basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under section 35(1) of the Income Tax Act 2007 (personal allowance for those aged under 65) as is appropriate to the applicant's circumstances, but, if the assessment period is less than one year the earnings to which the basic rate of tax is to be applied and the amount of the personal reliefs deductible under this paragraph are to be calculated on a pro rata basis.

(2) The amount to be deducted in respect of social security contributions under regulation 37(1)(b)(i), (3)(b)(ii) or (9)(a)(ii) is the total of—

- (a) the amount of Class 2 contributions payable under section [F²11(2)] or, as the case may be, [F³11(8)] of the 1992 Act ^{M5} at the rate applicable to the assessment period except where the applicant's chargeable income is [F⁴equal to or] less than the amount specified in [F⁵section 11(4)(a)] of that Act ^{M6}[F⁶([F⁷lower profits threshold])] for the tax year applicable to the assessment period, but if the assessment period is less than one year, the amount specified for that tax year is to be reduced pro rata; and
- (b) the amount of Class 4 contributions (if any) which would be payable under section 15 of the 1992 Act ^{M7} (Class 4 contributions recoverable under the Income Tax Acts) at the percentage rate applicable to the assessment period on so much of the chargeable income as exceeds the lower limit but does not exceed the upper limit of profits and gains applicable for the tax year applicable to the assessment period, but if the assessment period is less than one year those limits are to be reduced pro rata.

(3) In this regulation “chargeable income” means—

- (a) except where sub-paragraph (b) applies, the earnings derived from the employment less any expenses deducted under regulation 37(3)(a) or, as the case may be, (4); and

(b) in the case of employment as a child minder, one-third of the earnings of that employment.

Textual Amendments

- F2 Word in reg. 38(2)(a) substituted (1.4.2016) by The Council Tax Reduction (Scotland) Amendment Regulations 2016 (S.S.I. 2016/81), regs. 1(2), **11(a)**
- F3 Word in reg. 38(2)(a) substituted (1.4.2016) by The Council Tax Reduction (Scotland) Amendment Regulations 2016 (S.S.I. 2016/81), regs. 1(2), **11(b)**
- F4 Words in reg. 38(2)(a) inserted (with effect from 6.4.2022) by The Social Security (Class 2 National Insurance Contributions Increase of Threshold) Regulations 2022 (S.I. 2022/1329), regs. 1, **5(2)(a)**
- F5 Words in reg. 38(2)(a) substituted (with effect from 6.4.2022) by The Social Security (Class 2 National Insurance Contributions Increase of Threshold) Regulations 2022 (S.I. 2022/1329), regs. 1, **5(3)(a)**
- F6 Words in reg. 38(2)(a) substituted (1.4.2016) by The Council Tax Reduction (Scotland) Amendment Regulations 2016 (S.S.I. 2016/81), regs. 1(2), **11(c)**
- F7 Words in reg. 38(2)(a) substituted (with effect from 6.4.2022) by The Social Security (Class 2 National Insurance Contributions Increase of Threshold) Regulations 2022 (S.I. 2022/1329), regs. 1, **5(1)(m)**

Modifications etc. (not altering text)

- C1 Regs. 37, 38 applied (with modifications) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), regs. 1, **51(9)** (with regs. 2, 3, 97-101)

Marginal Citations

- M5 Section 11(1) was amended by S.I. 2012/807. Section 11(3) was amended by paragraph 12 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2).
- M6 Section 11(4) was amended by paragraph 12 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2) and S.I. 2012/807.
- M7 Section 15 was amended by section 13 of the Limited Liability Partnerships Act 2000 (c.12), **section 3(1)** of the National Insurance Contributions Act 2002 (c.19), **paragraph 420** of Schedule 1 and Schedule 3 to the Income Tax (Trading and Other Income) Act 2005 (c.5), **section 2(1)** of the National Insurance Contributions Act 2011 (c.3), and S.I. 2011/938 and 2012/807.

CHAPTER 6

Other income

Calculation of income other than earnings

^{F1}**39.**

Textual Amendments

- F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

Capital treated as income

^{F1}**40.**

Status: Point in time view as at 14/12/2022.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Council Tax Reduction (Scotland) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Notional income

^{F1}41.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

CHAPTER 7

Capital

Capital limit

^{F1}42.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Calculation of capital

^{F1}43.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Disregard of capital of child and young person

^{F1}44.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Income treated as capital

^{F1}45.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Council Tax Reduction (Scotland) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Calculation of capital in the United Kingdom

F146.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Calculation of capital outside the United Kingdom

F147.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Notional capital

F148.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Diminishing notional capital

F149.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Capital jointly held

F150.

Status: Point in time view as at 14/12/2022.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2, 97-101](#))

Calculation of tariff income from capital

^{F1}51.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2, 97-101](#))

PART 7

Students

CHAPTER 1

General

Interpretation: students

^{F1}52.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2, 97-101](#))

Treatment of students

^{F1}53.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2, 97-101](#))

CHAPTER 2

Income

Calculation of grant income

^{F1}54.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Council Tax Reduction (Scotland) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Calculation of covenant income where a contribution is assessed

F155.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Covenant income where no grant income or no contribution is assessed

F156.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Relationship with amounts to be disregarded under Schedule 4

F157.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Other amounts to be disregarded

F158.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Treatment of student loans

F159.

Status: Point in time view as at 14/12/2022.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Council Tax Reduction (Scotland) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), 97-101)

Treatment of fee loans

^{F1}60.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), 97-101)

Treatment of payments from access funds

^{F1}61.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), 97-101)

Disregard of contribution

^{F1}62.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), 97-101)

Further disregard of student's income

^{F1}63.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), 97-101)

Income treated as capital

^{F1}64.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Council Tax Reduction (Scotland) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Disregard of changes occurring during summer vacation

F1 65.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

PART 8

Amount of reduction

Maximum council tax reduction

F1 66.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Non-dependant deductions

F1 67.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Extended council tax reduction

F1 68.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Status: Point in time view as at 14/12/2022.

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Duration of period of entitlement to extended council tax reduction

^{F1}69.

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Amount of extended council tax reduction

^{F1}70.

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Extended council tax reduction: movers

^{F1}71.

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Relationship between council tax reduction and extended council tax reduction

^{F1}72.

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Extended council tax reduction (qualifying contributory benefits)

^{F1}73.

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Duration of extended council tax reduction (qualifying contributory benefits)

^{F1}74.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Council Tax Reduction (Scotland) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), [97-101](#))

Amount of extended council tax reduction (qualifying contributory benefits)

F175.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), [97-101](#))

Extended council tax reduction (qualifying contributory benefits): movers

F176.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), [97-101](#))

Relationship between council tax reduction and extended council tax reduction (qualifying contributory benefits)

F177.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), [97-101](#))

Alternative maximum council tax reduction

F178.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), [97-101](#))

Residents of a dwelling to whom regulation 14(6) does not apply

F179.

Status: Point in time view as at 14/12/2022.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

PART 9

Effective date

Date on which entitlement is to begin

^{F1}**80.**

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

Date on which a change of circumstances is to take effect

^{F1}**81.**

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

PART 10

Applications

Who may apply

^{F1}**82.**

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

Written applications

^{F1}**83.**

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Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Telephone applications

F1 84.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Date on which an application is made

F1 85.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Evidence and information

F1 86.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Amendment of applications

F1 87.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Withdrawal of applications

F1 88.

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Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), [97-101](#))

PART 11

Notification of changes of circumstances

Duty to notify changes of circumstances

F189.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), [97-101](#))

Alternative means of notifying changes of circumstances

F190.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), [97-101](#))

PART 11A

Reviews

Review of determination on an application

F190A.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), [97-101](#))

Request for further review

F190B.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), [97-101](#))

Panel to conduct further reviews

F190C.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), [97-101](#))

Conduct of further reviews

F190D.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), [97-101](#))

PART 12

Electronic communications

Sending documents by electronic communication

F191.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2](#), [97-101](#))

PART 13

Consequential and transitional provisions

Transitional provision

F192.

Status: Point in time view as at 14/12/2022.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2, 97-101](#))

Savings provision

F193.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2, 97-101](#))

Consequential amendments

F194.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), [reg. 1](#), [sch. 6](#) (with [regs. 2, 97-101](#))

St Andrew's House,
Edinburgh

JOHN SWINNEY
A member of the Scottish Government

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SCHEDULE 1

Regulations 21 and 22

Applicable amount

PART 1

Personal Allowances

^{F1}1.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

^{F1}2.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

^{F1}3.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

PART 2

Family Premium

4.

PART 3

Disability premiums

^{F1}5.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

^{F1}6.

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Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

F17.

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

F18.

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Disability premium

F19.

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Additional condition for the disability premium

F110.

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

Severe disability premium

F111.

Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

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Enhanced disability premium

^{F1}12.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

Disabled child premium

^{F1}13.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

Carer premium

^{F1}14.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

Persons in receipt of concessionary payments

^{F1}15.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

Persons in receipt of benefit for another

^{F1}16.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

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PART 4

Amounts of disability premiums

^{F1}17.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

PART 5

Components

Components

^{F1}18.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

^{F1}19.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

^{F1}20.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

Work-related activity component

^{F1}21.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

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Support component

^{F1}22.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

Amount of components

^{F1}23.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

^{F1}24.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

PART 6

Transitional addition

^{F1}25.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

^{F1}26.

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

^{F1}27.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

Amount of transitional addition

F128.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

F129.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

Interpretation of Part 6

F130.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

SCHEDULE 2

Regulation 78

Amount of alternative maximum council tax reduction

F11.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

F12.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

F13.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

F14.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

SCHEDULE 3

Regulations 35(2) and 37(2)

Sums to be disregarded in the calculation of earnings

F11.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

F12.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

F13.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

F14.

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Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

F15.

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Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

F16.

.....
Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

F17.

.....
Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

F18.

.....
Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

F19.

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Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

F110.

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Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

F111.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F112.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F113.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F114.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F115.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F116.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F117.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F118.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F19.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

SCHEDULE 4

Regulation 39(2)

Sums to be disregarded in the calculation of income other than earnings

F1.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F2.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F3.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F4.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F5.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

F16.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

F17.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

F18.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

F19.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

F110.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

F111.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 6** (with regs. 2, 97-101)

F112.

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Textual Amendments
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^{F1}13.

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Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

^{F1}14.

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Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

^{F1}15.

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Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

^{F1}16.

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Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

^{F1}17.

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Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

^{F1}18.

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Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

^{F1}19.

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Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F120.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F120A.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F121.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F122.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F123.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F124.

Textual Amendments

F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, [sch. 6](#) (with regs. 2, 97-101)

F125.

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Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

F126.

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Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

F127.

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Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

F128.

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Textual Amendments
F1 Regulations revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, sch. 6 (with regs. 2, 97-101)

F129.

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Textual Amendments
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37. A crisis payment made for the purpose of meeting an immediate short term need or a payment made for the purpose of meeting a need for community care—

[^{F9}(a) from a welfare fund;]

[^{F10}(aa) by a local authority in exercise of the power in section 20 of the Local Government in Scotland Act 2003 (power to advance well-being) and using funds provided by the Scottish Ministers,]

(b) by a local authority in exercise of the power in section 1 of the Localism Act 2011 ^{M8} (local authority's general power of competence) and using funds provided by the Secretary of State, and in this sub-paragraph local authority means a local authority within the meaning of section 8 of that Act; or

(c) by, or on behalf of, the Welsh Ministers in exercise of the power in section 60 of the Government of Wales Act 2006 ^{M9} (promotion etc. of well-being).

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Textual Amendments

F9 Sch. 4 para. 37(a) substituted (1.4.2016) by [The Council Tax Reduction \(Scotland\) Amendment Regulations 2016 \(S.S.I. 2016/81\)](#), regs. 1(2), **4(5)**

F10 Sch. 4 para. 37(aa) inserted (1.2.2021) by [The Council Tax Reduction \(Scotland\) Amendment \(No. 4\) Regulations 2020 \(S.S.I. 2020/413\)](#), regs. 1, **5(a)**

Marginal Citations

M8 2011 c.20.

M9 2006 c.32.

38. Any payment under Part 10 of the 1992 Act (Christmas bonus for pensioners).

^{F1}**39.**

Textual Amendments

F1 [Regulations](#) revoked (except regs. 2 (in part), 37, 38, sch. 4 paras. 37, 38) (1.4.2022) by [The Council Tax Reduction \(Scotland\) Regulations 2021 \(S.S.I. 2021/249\)](#), reg. 1, **sch. 6** (with regs. 2, 97-101)

^{F1}**40.**

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^{F1}**41.**

Textual Amendments

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^{F1}**42.**

Textual Amendments

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^{F1}**43.**

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^{F1}**44.**

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^{F1}66.

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^{F1}67.

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^{F1}68.

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^{F1}69.

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^{F1}70.

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SCHEDULE 5

Regulation 43(2)

Capital to be disregarded

F11.

Textual Amendments

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^{F1}36.

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^{F1}37.

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^{F1}38.

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^{F1}39.

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^{F1}40.

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SCHEDULE 6

Regulation 93

Savings provisions

F11.

Textual Amendments

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F12.

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Interpretation

F13.

Textual Amendments

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SCHEDULE 7

Regulation 94

Consequential amendments

F11.

Textual Amendments

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F14.

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F15.

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for a reduction in liability for council tax (“council tax reduction”) for persons who have not reached the qualifying age for state pension credit and for persons who have reached that age and receive income support or income-based jobseeker's allowance. (Provision relating to a reduction in liability for council tax reduction for those who have reached the qualifying age for state pension credit and do not receive those benefits is contained in the Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012.)

Part 1 of the Regulations contains general provisions (regulations 2 to 6).

Part 2 deals with families. Regulation 7 provides that only one member of a family can be entitled to council tax reduction. Regulation 9 provides that where an applicant for council tax reduction is in receipt of an income related benefit the income and capital of all family members is to be treated as the income and capital of the applicant. Regulation 10 describes the situation where a person is to be treated as responsible for another person. Regulation 11 describes the situations where a person is to be treated as being a member of a household.

In Part 3, regulation 12 describes the persons to whom the Regulations apply and regulation 13 provides that the Regulations apply to the financial year commencing 1st April 2013 and each subsequent financial year.

In Part 4, regulation 14 describes the conditions of entitlement to council tax reduction and regulations 15 to 20 describe the categories of persons who are not entitled to council tax reduction. These are absentees from the dwelling (regulation 15), persons treated as not in Great Britain (regulations 16 to 18), persons subject to immigration control (regulation 19) and students (regulation 20).

Part 5 (regulations 21 to 23) and Schedule 1 provide for the calculation of the applicable amount, which is a sum representing the needs of the applicant and the applicant's family.

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Part 6 has provision for the calculation of income and capital.

Chapter 1 provides for the income of persons other than the applicant to be treated as the applicant's (regulations 24 and 25). Chapter 2 deals with the calculation of income and capital for persons in receipt of universal credit (regulation 26). Chapter 3 sets out how income should be calculated for the purpose of calculating entitlement to council tax reduction (regulations 27 to 33). Chapter 4 deals with the income of employed earners (regulations 34 and 35) and chapter 5 with the income of self-employed earners (regulations 36 to 38). Schedule 3 sets out the sums to be disregarded when calculating earnings. Chapter 6 deals with other types of income; regulation 39 deals with income other than earnings, regulation 40 with capital to be treated as income and regulation 41 with notional income. Schedule 4 sets out the sums to be disregarded when calculating income other than earnings.

Chapter 7 has provision for the calculation of capital (regulations 42 to 51) and Schedule 5 describes capital that is to be disregarded.

Part 7 provides for the treatment of students. Chapter 1 has general provision for students (regulations 52 and 53) and chapter 2 deals with the calculation of the income of students (regulations 54 to 65).

Part 8 sets out the formula for calculating the maximum amount of council tax reduction to which a person is entitled (regulation 66). It also provides for an extended period of entitlement of up to 4 weeks in specified circumstances (regulations 68 to 77). Regulation 78 and Schedule 2 describe the situation where the alternative maximum council tax reduction applies.

Part 9 deals with when entitlement to council tax reduction begins and when a change in entitlement as a result of a change in circumstances take effect (regulations 80 and 81).

Part 10 deals with the application process. Regulation 82 describes who may apply and regulations 83 to 88 provide for other aspects of the process, including the form of applications and withdrawal of applications.

Part 11 provides for a duty to notify the relevant authority of a change of circumstances (regulations 89 and 90).

Part 12 allows for the sending of documents by electronic communication (regulation 91).

Part 13 contains transitional provision (regulation 92), savings provision (regulation 93 and Schedule 6) and consequential amendments (regulation 94 and Schedule 7).

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