

SCHEDULE

MODIFICATION OF SUBORDINATE LEGISLATION

Council Tax Benefit (General) Regulations 1992 (S.I.1992/1814)

17.—(5) The Council Tax Benefit (General) Regulations 1992⁽¹⁾ are amended as follows.

(1) In regulation 4C—

- (a) in paragraph (5)(a), for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”; and
- (b) in paragraph (6), in the definition of “residential accommodation”, in sub paragraph (i)(ii), for “a private hospital within the meaning of section 12 of the Mental Health (Scotland) Act 1984 (private hospitals)” substitute “an independent health care service within the meaning of section 2(5) of the Regulation of Care (Scotland) Act 2001”.

(2) In regulation 17(5)(d) (meaning of “income”), for “section 7 of the Mental Health (Scotland) Act 1984 (functions of local authorities)” substitute “section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (care and support services etc.)”.

(3) The amendment made by sub paragraph (3) is to the Council Tax Benefit (General) Regulations 1992 as modified in their application to persons to whom regulation 12 of the Housing Benefit and Council Tax Benefit (State Pension Credit) Regulations 2003⁽²⁾ applies.

(1) S.I. 1992/1814; relevant amending instruments are S.I. 1995/560, S.I. 1995/625, S.I. 1998/563, S.I. 2003/325 and S.I. 2005/573.

(2) S.I. 2003/325.