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SCOTTISH STATUTORY INSTRUMENTS

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**2012 No. 303**

**The Council Tax Reduction (Scotland) Regulations 2012**

**PART 5**

**Applicable amount**

**Applicable amount**

**21.** Subject to regulations 22 (applicable amount: polygamous marriages) and 23 (applicable amount: persons who have an award of universal credit) an applicant's weekly applicable amount is the aggregate of each of the following amounts which apply in the applicant's case—

- (a) an amount in respect of the applicant or, if the applicant is a member of a couple, an amount in respect of both of them, determined in accordance with paragraph 1 of Schedule 1 (personal allowances);
- (b) an amount determined in accordance with paragraph 3 of Schedule 1 in respect of any child or young person who is a member of the applicant's family;
- (c) if the applicant is a member of a family of which at least one member is a child or young person, an amount determined in accordance with Part 2 of Schedule 1 (family premium);
- (d) the amount of any premiums which may be applicable to the applicant, determined in accordance with Parts 3 and 4 of Schedule 1 (disability premiums);
- (e) the amount of either the—
  - (i) work-related activity component; or
  - (ii) support component,which may be applicable to the applicant in accordance with Part 5 of Schedule 1 (components); and
- (f) the amount of any transitional addition which may be applicable to the applicant in accordance with Part 6 of Schedule 1 (transitional addition).

**Applicable amount: polygamous marriages.**

**22.** Where an applicant is a member of a polygamous marriage, the applicant's weekly applicable amount is the aggregate of each of the following amounts which apply in the applicant's case—

- (a) the amount applicable to the applicant and one of the applicant's partners determined in accordance with paragraph 1(3) of Schedule 1 (personal allowances) as if the applicant and that partner were a couple;
- (b) an amount equal to the difference between the amounts specified in paragraph 1(1)(b) and (3) of Schedule 1 (personal allowances) in respect of each of the applicant's other partners;
- (c) an amount determined in accordance with paragraph 3 of Schedule 1 (personal allowances) in respect of any child or young person for whom the applicant or a partner of the applicant is responsible and who is a member of the same household;

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*Changes to legislation: There are currently no known outstanding effects for the The Council Tax Reduction (Scotland) Regulations 2012, PART 5. (See end of Document for details)*

- (d) if the applicant or another partner of the polygamous marriage is responsible for a child or young person who is a member of the same household, the amount specified in Part 2 of Schedule 1 (family premium);
- (e) the amount of any premium which may be applicable to the applicant determined in accordance with Parts 3 and 4 of Schedule 1 (disability premiums);
- (f) the amount of either the—
  - (i) work-related activity component; or
  - (ii) support component,which may be applicable to the applicant in accordance with Part 5 of Schedule 1 (components); and
- (g) the amount of any transitional addition which may be applicable to the applicant in accordance with Part 6 of Schedule 1 (transitional addition).

**Applicable amount: persons who have an award of universal credit**

**23.**—(1) Where an applicant or an applicant's partner has, or the partners jointly have, an award of universal credit, in determining the weekly applicable amount for the applicant the relevant authority must use the calculation or estimate of the maximum amount of the applicant, or the applicant's partner, or partners jointly (as the case may be), subject to the adjustment described in paragraph (2).

(2) The adjustment referred to in paragraph (1) is that where a housing costs element has been awarded to the applicant, the applicant's partner or the partners jointly, the amount of that element is to be deducted from the applicable amount.

(3) In paragraph (1) “maximum amount” means the maximum amount calculated by the Secretary of State in accordance with section 8(2) of the Welfare Reform Act 2012 <sup>M1</sup>.

**Marginal Citations**

**M1** 2012 c.5.

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**Changes to legislation:**

There are currently no known outstanding effects for the The Council Tax Reduction (Scotland) Regulations 2012, PART 5.