

SCOTTISH STATUTORY INSTRUMENTS

**2012 No. 319**

**The Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012**

[<sup>F1</sup>PART 10A

[<sup>F2</sup>Review and appeal]

**Textual Amendments**

- F1** Pt. 10A inserted (1.10.2013) by [The Council Tax Reduction \(Scotland\) Amendment \(No. 2\) Regulations 2013 \(S.S.I. 2013/218\)](#), regs. 1, **13** (with reg. 18)
- F2** Pt. 10A heading substituted (1.4.2023) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Council Tax Reduction Review Panel\) Regulations 2023 \(S.S.I. 2023/46\)](#), reg. 1, **sch. 2 para. 1(3)** (with sch. 1)

**Review of determination on an application**

**70A.**—<sup>F3</sup>(1) .....

(2) An applicant who is aggrieved by a determination on an application may serve a written notice on the relevant authority requesting that it review its determination.

(3) The notice under paragraph (2) must be served within two months of the determination it relates to and must state the matter by which, and the grounds on which, the applicant is aggrieved.

(4) Where a notice under paragraph (2) is served on a relevant authority, that authority must—

- (a) consider the matter to which the notice relates;
- (b) within two months of receipt of the notice, redetermine the application or decide that no alteration of the determination is to be made;
- (c) notify the applicant in writing of its decision and that if the applicant remains aggrieved then [<sup>F4</sup>an appeal may be made to the First-tier Tribunal] within 42 days of the notification, with the address to which any [<sup>F5</sup>notice of appeal may] to be sent.]

**Textual Amendments**

- F3** [Reg. 70A\(1\)](#) omitted (1.4.2023) by virtue of [The First-tier Tribunal for Scotland \(Transfer of Functions of the Council Tax Reduction Review Panel\) Regulations 2023 \(S.S.I. 2023/46\)](#), reg. 1, **sch. 2 para. 1(4)(a)** (with sch. 1)
- F4** Words in [reg. 70A\(4\)\(c\)](#) substituted (1.4.2023) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Council Tax Reduction Review Panel\) Regulations 2023 \(S.S.I. 2023/46\)](#), reg. 1, **sch. 2 para. 1(4)(b)(i)** (with sch. 1)

**Changes to legislation:** The Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012, PART 10A is up to date with all changes known to be in force on or before 25 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**F5** Words in reg. 70A(4)(c) substituted (1.4.2023) by The First-tier Tribunal for Scotland (Transfer of Functions of the Council Tax Reduction Review Panel) Regulations 2023 (S.S.I. 2023/46), reg. 1, sch. 2 para. 1(4)(b)(ii) (with sch. 1)

**[<sup>F6</sup>Appeal against a determination on an application**

**70B.**—(1) An applicant may appeal to the First-tier Tribunal where the relevant authority—

- (a) has notified the applicant of its decision on a request for review under regulation 70A(2) in accordance with paragraph (4)(c) of that regulation and the applicant wishes to dispute that decision, or
- (b) has not notified the applicant of a decision on a request for review under regulation 70A(2) and more than two months have elapsed since the notice requesting review was served.

(2) Notice of appeal to the First-tier Tribunal must be made in accordance with the First-tier Tribunal for Scotland Local Taxation Chamber (Rules of Procedure) Regulations 2022.

(3) An appeal to the First-tier Tribunal prevents the relevant authority from notifying the applicant under regulation 70A(2) of its decision on the request for review to which the appeal relates.

(4) The relevant authority must implement the decision of the First-tier Tribunal in respect of an appeal under paragraph (1) as soon as is reasonably practicable, including any calculation of the amount of an applicant’s entitlement to a council tax reduction that is required.]

**Textual Amendments**  
**F6** Reg. 70B substituted (1.4.2023) by The First-tier Tribunal for Scotland (Transfer of Functions of the Council Tax Reduction Review Panel) Regulations 2023 (S.S.I. 2023/46), reg. 1, sch. 2 para. 1(5) (with sch. 1)

**Conduct of further reviews**

**<sup>F7</sup>70C.** .....

**Textual Amendments**  
**F7** Reg. 70C revoked (1.4.2023) by The First-tier Tribunal for Scotland (Transfer of Functions of the Council Tax Reduction Review Panel) Regulations 2023 (S.S.I. 2023/46), reg. 1, sch. 2 para. 1(6) (with sch. 1)

**Changes to legislation:**

The Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012, PART 10A is up to date with all changes known to be in force on or before 25 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 2 para. 5(1)(iiia) inserted by [S.S.I. 2024/141 reg. 9\(7\)](#)
- Sch. 4 para. 21(2)(ab) inserted by [S.S.I. 2024/141 reg. 9\(8\)](#)
- reg. 27(1)(j)(iiic) inserted by [S.S.I. 2024/141 reg. 9\(3\)](#)
- reg. 29(11)(f)(iia) inserted by [S.S.I. 2024/141 reg. 9\(4\)](#)
- reg. 48(6)(b)(ia) inserted by [S.S.I. 2024/141 reg. 9\(5\)\(a\)](#)