

SCOTTISH STATUTORY INSTRUMENTS

2012 No. 319

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

[^{F1}PART 12 S

Transitional provision

Textual Amendments

- F1** Pt. 12 inserted (18.3.2013) by [The Council Tax Reduction \(State Pension Credit\) \(Scotland\) Amendment Regulations 2013 \(S.S.I. 2013/49\)](#), regs. 1, 8

Transitional provision S

72.—(1) A person described in paragraph (2) is deemed to have made an application for council tax reduction on 1st April 2013.

(2) A person referred to in paragraph (1) is a person—

- (a) who is entitled to council tax benefit on 31st March 2013;
- (b) who made an application for council tax benefit which is not determined before 1st April 2013;
- (c) whose entitlement to council tax benefit is wholly or partly suspended immediately before 1st April 2013;
- (d) other than a person described in sub-paragraphs (a) or (c), who has applied for a revision of a decision by a relevant authority under regulation 4(1) (revision of decisions) or 5(1) (late application for a revision) of the Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001 (“the 2001 Regulations”) and whose application is pending immediately before 1st April 2013; and
- (e) other than a person described in sub-paragraphs (a) or (c), who has appealed against a decision of the First-tier Tribunal, the Upper Tribunal or a court in relation to a claim for council tax benefit and whose appeal is pending immediately before 1st April 2013.

(3) For the purposes of sub-paragraph (2)(d) a revision of a decision relating to a claim for council tax benefit is pending if an application for a revision has been made but not been determined.

(4) For the purposes of paragraph (2)(e) an appeal against a decision relating to a claim for council tax benefit is pending if—

- (a) an appeal against the decision has been brought but not determined;
- (b) an application for permission to appeal against the decision has been made but not determined; or
- (c) the time within which—
 - (i) an application for permission to appeal may be made; or

Changes to legislation: The Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012, PART12 is up to date with all changes known to be in force on or before 27 July 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](#)

(ii) an appeal against the decision may be brought,

has not expired and one of the circumstances prescribed in regulation 11(3) of the 2001 Regulations apply.

(5) Where an application for council tax reduction is deemed to be made in accordance with paragraph (1) and—

- (a) on 31st March 2013 the applicant by whom the application is deemed to have been made is a person to whom regulation 50(10) to (13) (date on which change of circumstances regarding non-dependants is to take effect) of the Council Tax Benefit (Persons who have attained the qualifying age for State Pension Credit) Regulations 2006 applies; and
- (b) the effective date for the purposes of the change of circumstances is a date after 31st March 2013,

that application is to be determined as though the change of circumstances has not taken place and is to be re-determined on the effective date to take account of the change of circumstances.]

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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\(5\)\(a\)](#)