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SCOTTISH STATUTORY INSTRUMENTS

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**2012 No. 319**

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

**PART 9**

Applications

**Written applications**

**63.**—(1) Subject to regulation 64 (telephone applications), an application must be sent to the designated office in writing and—

- (a) made on a properly completed form approved for the purpose by the relevant authority; or
- (b) in such written form as the relevant authority accepts as sufficient in the circumstances of any particular case or class of cases having regard to the sufficiency of the written information and evidence.

(2) Where an application is not made in the form described in paragraph (1)(a) or (b) it is defective.

(3) Where an application is defective because—

- (a) it was made on the form approved for the purpose but that form is not accepted by the relevant authority as being properly completed; or
- (b) it was made in writing but not on the form approved for the purpose and the relevant authority does not accept the application as being in a written form which is sufficient in the circumstances of the case, having regard to the sufficiency of the written information and evidence,

the relevant authority may—

- (c) in a case to which sub-paragraph (a) applies, request the applicant to complete the defective application; or
- (d) in a case to which sub-paragraph (b) applies, supply the applicant with the approved form or request further information or evidence.

(4) A defective application is to be treated as if it had been validly made in the first instance if, in any particular case, one of the conditions specified in paragraph (5) is satisfied.

(5) The conditions are that—

- (a) where paragraph (3)(a) (incomplete form) applies, the relevant authority receives the properly completed application, the information requested to complete it or the evidence within one month of the authority's request, or any longer period the relevant authority considers reasonable; or
- (b) where paragraph (3)(b) (application not on approved form or further information requested by relevant authority) applies—

**Status:** Point in time view as at 28/01/2013.

**Changes to legislation:** The Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012, Section 63 is up to date with all changes known to be in force on or before 06 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)

- (i) the approved form sent to the applicant is received by the relevant authority properly completed within one month of it having been sent to the applicant, or any longer period the relevant authority considers reasonable; or,
  - (ii) the applicant supplies whatever information or evidence was requested under paragraph (3) within one month of the request, or any longer period the relevant authority considers reasonable.
- (6) An application made on an approved form is for the purposes of these Regulations properly completed if completed in accordance with the instructions on the form, including any instructions to provide information and evidence in connection with the application.

**Status:**

Point in time view as at 28/01/2013.

**Changes to legislation:**

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