
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 319

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

PART 10

Notification of change of circumstances

Duty to notify changes of circumstances

69.—(1) Subject to paragraphs (2) to (7) and regulation 70 (alternative means of notifying changes of circumstances), if at any time between the making of an application and it being determined or during a period of entitlement to council tax reduction, there is a change of circumstances which an applicant might reasonably be expected to know might affect entitlement to council tax reduction that applicant must notify that change of circumstances by giving notice to the relevant authority at the designated office—

- (a) in writing; or
- (b) by telephone—
 - (i) where the relevant authority has published a telephone number for that purpose or for the purposes of regulation 64 (telephone applications), unless the authority determines that in any particular case, or class of case, notification of a change of circumstances may not be given by telephone; or
 - (ii) in any case, or class of case, where the relevant authority determines that notice of a change of circumstances may be given by telephone; or
- (c) by any other means the relevant authority agrees to in any particular case.

(2) Subject to paragraph (3), the duty imposed by paragraph (1) does not extend to notifying changes—

- (a) in the amount of council tax payable to the relevant authority;
- (b) in the age of the applicant or of any member of the applicant's family; or
- (c) to these Regulations.

(3) Notwithstanding paragraph (2)(b) an applicant is required by paragraph (1) to notify the relevant authority of any change in the composition of the applicant's family arising from the fact that a person who was a member of the family is now no longer a member of the family because that person ceased to be a child or young person.

(4) Where the amount of an entitled person's council tax reduction is the alternative maximum council tax reduction applicable to that person calculated in accordance with regulation 56, the person is required by paragraph (1) to notify the relevant authority of changes which occur in the number of adults in the dwelling or in their total gross incomes which might reasonably be expected to change the applicant's entitlement to council tax reduction and where any of those adults ceases to be in receipt of state pension credit, income support, universal credit, an income-based jobseeker's allowance or an income-related employment and support allowance the date when this occurs.

(5) An applicant who is entitled to council tax reduction and state pension credit need only notify the changes specified in paragraphs (6) and (7).

(6) An applicant referred to in paragraph (5) must notify—

- (a) changes affecting the residence or income of any non-dependant normally residing with the applicant or with whom the applicant normally resides; and
- (b) any absence from the dwelling which exceeds or is likely to exceed 13 weeks.

(7) In addition to the changes required to be notified under paragraph (6), an applicant referred to in paragraph (5) whose state pension credit comprises only a savings credit must also notify—

- (a) changes affecting a child living with the person which may result in a change in the amount of council tax reduction to which the applicant is entitled, but this does not include changes in the age of the child;
- (b) any change in the amount of the applicant's capital to be taken into account when calculating the applicant's entitlement to council tax reduction which does or may take the amount of the applicant's capital to more than £16,000; and
- (c) any change in the income or capital of—
 - (i) a non-dependant whose income and capital are treated as belonging to the applicant in accordance with regulation 22 (circumstances in which capital and income of a non-dependant is to be treated as applicant's); or
 - (ii) a person to whom regulation 25(2)(e) (calculation of income in savings credit only cases) refers,

and whether such a person or, as the case may be, non-dependant stops living with, or begins or resumes living with, the applicant.