
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 142

**The Welfare Reform (Consequential Amendments)
(Scotland) (No. 3) Regulations 2013**

Council Tax Reduction (Scotland) Regulations 2012

- 11.**—(1) The Council Tax Reduction (Scotland) Regulations 2012(1) are amended as follows.
- (2) In regulation 2(1) (interpretation)—
- (a) after the definition of “appropriate maximum council tax reduction”, insert—
- ““armed forces independence payment” means armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011;”;
- and
- (b) in the definition of “the benefit Acts”, after “the 1992 Act,” insert “the Armed Forces (Pensions and Compensation) Act 2004(2) insofar as it relates to armed forces independence payment, Part 4 (personal independence payment) of the Welfare Reform Act 2012.”.
- (3) In regulation 28 (treatment of child care charges)—
- (a) after paragraph (11)(f)(iv), insert—
- “(iva) armed forces independence payment;”;
- and
- (b) in paragraph (14)(a), after “patient” insert “, or in respect of whom armed forces independence payment is payable”.
- (4) In regulation 67 (non-dependant deductions)—
- (a) after paragraph (6)(b)(ii), insert—
- “(ia) armed forces independence payment;”;
- and
- (b) in paragraph (9)(a), after “disability living allowance” insert “, armed forces independence payment”.
- (5) In regulation 81(8) (date on which a change in circumstances is to take effect), after “the 1992 Act” insert “, Part 4 of the Welfare Reform Act 2012 or article 24A of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011”.
- (6) In Schedule 1 (applicable amount)—
- (a) in paragraph 8(2) (disability premiums), after “the 1992 Act” insert “, armed forces independence payment”;
- (b) in paragraph 10(1)(a)(i) (additional condition for the disability premium), after “disability living allowance,” insert “armed forces independence payment;”;
- (c) in paragraph 11 (severe disability premium), in each of sub-paragraphs (2)(a)(i), (2)(b)(i), (2)(b)(ii) and (4)(a), after “the 1992 Act” insert “, armed forces independence payment”;
- (d) in paragraph 12 (enhanced disability premium), after sub-paragraph (1)(b) insert—

(1) S.S.I. 2012/303; relevant amending instrument is S.S.I. 2013/48.

(2) 2004 c.32.

“(ba) armed forces independence payment is payable in respect of the applicant or a member of the applicant’s family who has not attained the qualifying age for state pension credit;” and

(e) in paragraph 13 (disabled child premium), after paragraph (b) insert—

“(ba) is a young person who is in receipt of armed forces independence payment;”.

(7) In Schedule 2, in paragraph 2(a) (disregards in determining a second adult’s gross income), after “disability living allowance” insert “, armed forces independence payment”.

(8) In Schedule 4, in paragraph 10 (sums to be disregarded in the calculation of income other than earnings), after “disability living allowance” insert “, armed forces independence payment”.