

SCOTTISH STATUTORY INSTRUMENTS

2017 No. 41

COUNCIL TAX

**The Council Tax Reduction (Scotland)
Amendment Regulations 2017**

Made - - - - 21st February 2017
*Laid before the Scottish
Parliament* - - - - 23rd February 2017
Coming into force - - 1st April 2017

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 80 and 113(1) and (2) and paragraph 1 of schedule 2 of the Local Government Finance Act 1992⁽¹⁾ and all other powers enabling them to do so.

PROSPECTIVE

PART 1 **S**

General

Citation and commencement **S**

1. These Regulations may be cited as the Council Tax Reduction (Scotland) Amendment Regulations 2017 and come into force on 1st April 2017.

Commencement Information

11 Reg. 1 in force at 1.4.2017, see [reg. 1](#)

⁽¹⁾ 1992 c.14. Section 80 was amended by paragraph 176 of schedule 13 of the Local Government etc. (Scotland) Act 1994 (c.39). There are other amendments to section 80 and section 113(1) that are not relevant to these Regulations. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Council Tax Reduction (Scotland) Amendment Regulations 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PART 2 **S**

Amendment of the Council Tax Reduction (Scotland) Regulations 2012

General **S**

2. The Council Tax Reduction (Scotland) Regulations 2012⁽²⁾ are amended as follows.

Commencement Information

I2 Reg. 2 in force at 1.4.2017, see [reg. 1](#)

Amendment of regulation 2 **S**

3. In regulation 2 (interpretation), in paragraph (1) after the definition of “independent hospital” insert—

““infected blood payment scheme” means a scheme established by, or under arrangements made with, the Scottish Ministers, the Secretary of State, the Welsh Ministers or the Department of Health in Northern Ireland for making *ex gratia* payments to or in respect of persons who have acquired HIV or hepatitis C as a result of treatment with blood or blood products within the national health service;”.

Commencement Information

I3 Reg. 3 in force at 1.4.2017, see [reg. 1](#)

Amendment of regulation 23 **S**

4. In regulation 23 (applicable amount: persons who have an award of universal credit)—
- (a) in paragraph (1), for “adjustment” substitute “adjustments”; and
 - (b) for paragraph (2A), substitute—
 - “(2A) The adjustments referred to in paragraph (1) are—
 - (a) to multiply the maximum amount by 12 and divide the product by 52; and
 - (b) to add to the weekly applicable amount the sum of £16.73 in respect of each child or young person who is a member of the applicant’s family.”.

Commencement Information

I4 Reg. 4 in force at 1.4.2017, see [reg. 1](#)

Amendment of regulation 41 **S**

5. In regulation 41 (notional income), in paragraph (4)(a) after “Foundation,” insert “another infected blood payment scheme,”.

(2) [S.S.I. 2012/303](#); relevant amending instruments are [S.S.I. 2013/48](#), [S.S.I. 2013/142](#), [S.S.I. 2013/287](#), [S.S.I. 2015/46](#) and [S.S.I. 2016/81](#).

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Commencement Information

I5 Reg. 5 in force at 1.4.2017, see [reg. 1](#)

Amendment of regulation 45 **S**

6. In regulation 45 (income treated as capital), in paragraph (6) after “Foundation,” insert “another infected blood payment scheme.”

Commencement Information

I6 Reg. 6 in force at 1.4.2017, see [reg. 1](#)

Amendment of regulation 48 **S**

7. In regulation 48 (notional capital), in paragraph (4)(a) after “Foundation,” insert “another infected blood payment scheme.”

Commencement Information

I7 Reg. 7 in force at 1.4.2017, see [reg. 1](#)

Amendment of regulation 67 **S**

8. In regulation 67 (non-dependant deductions)—

(a) in paragraph (1)—

(i) in sub-paragraph (a), for “£11.80” substitute “£11.90”; and

(ii) in sub-paragraph (b), for “£3.90” substitute “£3.95”;

(b) in paragraph (2)—

(i) in sub-paragraph (a), for “£195.00” substitute “£200.00”; and

(ii) for sub-paragraphs (b) and (c), substitute—

“(b) not less than £200.00 but less than £346.00, the deduction to be made is $\pounds 7.85 \times 1/7$; or

(c) not less than £346.00 but less than £430.00, the deduction to be made is $\pounds 9.95 \times 1/7$.”; and

(c) in paragraph (9)(b), after “Foundation,” insert “another infected blood payment scheme.”

Commencement Information

I8 Reg. 8 in force at 1.4.2017, see [reg. 1](#)

Amendment of regulation 86 **S**

9. In regulation 86 (evidence and information), in paragraph (3)(a)(ii) after “Foundation” insert “, another infected blood payment scheme”.

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Commencement Information

I9 Reg. 9 in force at 1.4.2017, see [reg. 1](#)

Amendment of schedule 1 **S**

10. In schedule 1 (applicable amount)—

- (a) in paragraph 17 (amounts of disability premiums)—
 - (i) for “£32.25”, substitute “£32.55”;
 - (ii) for “£45.95”, substitute “£46.40”;
 - (iii) for “£61.85” in both places where it occurs, substitute “£62.45”;
 - (iv) for “£123.70”, substitute “£124.90”;
 - (v) for “£60.06”, substitute “£60.90”;
 - (vi) for “£34.60”, substitute “£34.95”;
 - (vii) for “£24.43”, substitute “£24.78”;
 - (viii) for “£15.75”, substitute “£15.90”; and
 - (ix) for “£22.60”, substitute “£22.85”; and
- (b) in paragraph 24 (amount of the support component), for “£36.20” substitute “£36.55”.

Commencement Information

I10 Reg. 10 in force at 1.4.2017, see [reg. 1](#)

Amendment of schedule 2 **S**

11. In schedule 2 (amount of alternative maximum council tax reduction)—

- (a) in paragraph 1—
 - (i) for “£191.00” in both places where it occurs, substitute “£196.00”; and
 - (ii) for “£249.00”, substitute “£255.00”; and
- (b) in paragraph 2(b), after “Foundation,” insert “another infected blood payment scheme,”.

Commencement Information

I11 Reg. 11 in force at 1.4.2017, see [reg. 1](#)

Amendment of schedule 4 **S**

12. In schedule 4 (sums to be disregarded in the calculation of income other than earnings), in paragraph 41—

- (a) in sub-paragraph (1), after “Foundation,” insert “another infected blood payment scheme,”; and
- (b) in sub-paragraph (7), after “Foundation,” insert “any other infected blood payment scheme,”.

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Commencement Information

I12 Reg. 12 in force at 1.4.2017, see [reg. 1](#)

Amendment of schedule 5 **S**

13. In schedule 5 (capital to be disregarded), in paragraph 38 after “Foundation,” insert “another infected blood payment scheme.”

Commencement Information

I13 Reg. 13 in force at 1.4.2017, see [reg. 1](#)

PART 3 **S**

Amendment of the Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012

General **S**

14. The Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012(3) are amended as follows.

Commencement Information

I14 Reg. 14 in force at 1.4.2017, see [reg. 1](#)

Amendment of regulation 2 **S**

15. In regulation 2 (interpretation), in paragraph (1) after the definition of “independent hospital” insert—

““infected blood payment scheme” means a scheme established by, or under arrangements made with, the Scottish Ministers, the Secretary of State, the Welsh Ministers or the Department of Health in Northern Ireland for making *ex gratia* payments to or in respect of persons who have acquired HIV or hepatitis C as a result of treatment with blood or blood products within the national health service;”

Commencement Information

I15 Reg. 15 in force at 1.4.2017, see [reg. 1](#)

Amendment of regulation 48 **S**

16. In regulation 48 (non-dependant deductions)—

(a) in paragraph (1)—

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- (i) in sub-paragraph (a), for “£11.80” substitute “£11.90”; and
- (ii) in sub-paragraph (b), for “£3.90” substitute “£3.95”;
- (b) in paragraph (2)—
 - (i) in sub-paragraph (a), for “£195.00” substitute “£200.00”; and
 - (ii) for sub-paragraphs (b) and (c), substitute—
 - “(b) not less than £200.00 but less than £346.00, the deduction to be made is £7.85 x 1/7; and
 - (c) not less than £346.00 but less than £430.00, the deduction to be made is £9.95 x 1/7.”; and
- (c) in paragraph (9)(b), after “Foundation,” insert “another infected blood payment scheme”.

Commencement Information

I16 Reg. 16 in force at 1.4.2017, see [reg. 1](#)

Amendment of regulation 66 **S**

17. In regulation 66 (evidence and information), in paragraph (3)(a) after “Foundation” insert “, another infected blood payment scheme”.

Commencement Information

I17 Reg. 17 in force at 1.4.2017, see [reg. 1](#)

Amendment of schedule 1 **S**

18. In schedule 1 (applicable amount)—

- (a) in paragraph 2 (personal allowances)—
 - (i) for “£155.60”, substitute “£159.35”;
 - (ii) for “£168.70”, substitute “£172.55”;
 - (iii) for “£237.55” in both places where it occurs, substitute “£243.25”;
 - (iv) for “£252.30” in both places where it occurs, substitute “£258.15”;
 - (v) for “£81.95”, substitute “£83.90”; and
 - (vi) for “£83.60”, substitute “£85.60”; and
- (b) in paragraph 13 (amount of disability premium)—
 - (i) for “£61.85” in both places where it occurs, substitute “£62.45”;
 - (ii) for “£123.70”, substitute “£124.90”;
 - (iii) for “£24.43”, substitute “£24.78”;
 - (iv) for “£60.06”, substitute “£60.90”; and
 - (v) for “£34.60”, substitute “£34.95”.

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Commencement Information

I18 Reg. 18 in force at 1.4.2017, see [reg. 1](#)

Amendment of schedule 4 **S**

19. In schedule 4 (capital disregards), in paragraph 16—

- (a) in sub-paragraph (1)(a), after “Foundation” insert “, another infected blood payment scheme”;
- (b) in sub-paragraph (7), after “Foundation” insert “, another infected blood payment scheme”; and
- (c) in sub-paragraph (8), after “Foundation” insert “, any other infected blood payment scheme”.

Commencement Information

I19 Reg. 19 in force at 1.4.2017, see [reg. 1](#)

Amendment of schedule 5 **S**

20. In schedule 5 (amount of alternative maximum council tax reduction)—

- (a) in paragraph 1—
 - (i) for “£191.00” in both places where it occurs, substitute “£196.00”; and
 - (ii) for “£249.00”, substitute “£255.00”; and
- (b) in paragraph 2(b), after “Foundation,” insert “another infected blood payment scheme,”.

Commencement Information

I20 Reg. 20 in force at 1.4.2017, see [reg. 1](#)

St Andrew’s House,
Edinburgh
21st February 2017

DEREK MACKAY
A member of the Scottish Government

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PROSPECTIVE

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Council Tax Reduction (Scotland) Regulations 2012 (“the 2012 Regulations”) in the following respects.

The 2012 Regulations presently make provision in relation to the manner of dealing with payments received by, or in respect of, a person who acquired HIV or hepatitis C as a result of treatment with blood or blood products within the national health service. These Regulations make amendments to reflect that such payments may in future be made out of schemes additional to those specifically listed in the 2012 Regulations (regulations 3, 5 to 7, 8(c), 9, 11(b), 12 and 13).

Regulation 4 adjusts the child premium taken into account in the case of recipients of universal credit.

Regulations 8(a) and (b), 10 and 11(a) uprate figures used to calculate the amount of council tax reduction that an applicant is entitled to receive.

Regulations 15 to 20 amend the Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012 in the same manner as the 2012 Regulations are amended by regulations 3 and 5 to 13.

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Changes and effects yet to be applied to :

- Pt. 2 revoked by [S.S.I. 2021/249 sch. 6](#)
- reg. 1 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 2 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 3 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 4 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 5 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 6 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 7 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 8 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 9 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 10 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 11 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 12 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 13 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 14 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 15 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 16 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 17 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 18 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 19 coming into force by [S.S.I. 2017/41 reg. 1](#)
- reg. 20 coming into force by [S.S.I. 2017/41 reg. 1](#)