



Rating (Disabled Persons) Act 1978

1978 CHAPTER 40

Provisions for Scotland

6 Administration and appeals in Scotland.

- (1) No rebate shall be granted except on an application made to the rating authority by the person entitled to the rebate; and any such application shall contain such information as the authority may reasonably require.
- (2) A rebate shall be granted for such period, being a financial year or part of a financial year, as the rating authority may determine (in this Act referred to as a “rebate period”).
- (3) No rebate shall be granted—
 - (a) for any period before the coming into force of this Act; or
 - (b) except in such circumstances and to such extent as the rating authority may determine, for any period before the beginning of the financial year in which the application is made.
- (4) A rebate may be granted either by making a payment of the amount of the rebate or, where the person entitled is the occupier of the lands and heritages, by reducing the rates payable by him.
- (5) An applicant for a rebate whose application is refused by the rating authority may appeal to the sheriff; and if the sheriff allows the appeal he may direct that the rebate shall be granted.
- [^{F1}(5A) A person who has been granted a rebate under section 5 of this Act but is nevertheless dissatisfied with the amount of rebate may appeal to the sheriff; and if the sheriff allows the appeal he may give the rating authority such direction as respects the matters mentioned in subsection (5) of that section as he thinks fit.]
- (6) An appeal shall lie, on any question of law, from a decision of the sheriff under subsection (5) [^{F2}or (5A)]above.
- (7) In this section “rebate” means a rebate under section 4 or section 5 of this Act.

Changes to legislation: There are currently no known outstanding effects for the Rating (Disabled Persons) Act 1978, Section 6. (See end of Document for details)

Textual Amendments

- F1** S. 6(5A) inserted (S.) by Rating and Valuation (Amendment) (Scotland) Act 1984 (c. 31, SIF 103:2), s. 5(2)(a)
- F2** Words inserted (S.) by Rating and Valuation (Amendment) (Scotland) Act 1984 (c. 31, SIF 103:2), s. 5(2)(b)

Changes to legislation:

There are currently no known outstanding effects for the Rating (Disabled Persons) Act 1978, Section 6.