

1974 No. 1602 (S.142)

RATING AND VALUATION

**The Rate Rebate (Scotland) Amendment (No. 2)
Regulations 1974**

Made - - - - 23rd September 1974

Coming into Operation 27th September 1974

To be laid before Parliament

In exercise of the powers conferred on me by section 112 of the Local Government (Scotland) Act 1973(a) and of all other powers enabling me in that behalf I hereby, with the consent of the Treasury, make the following regulations:—

1. These regulations may be cited as the Rate Rebate (Scotland) Amendment (No. 2) Regulations 1974 and shall come into operation on 27th September 1974.

2.—(1) The Interpretation Act 1889(b) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(2) References in these regulations to any enactment shall be construed as including references to such enactment as amended or extended by or under any other enactment, order or regulations.

(3) In these regulations “the principal regulations” means the Rate Rebate (Scotland) Regulations 1974(c) and other words and expressions have the same meaning as in the principal regulations.

3. In regulation 15(1) of the principal regulations, for the words “regulations 16, 17 and 18”, there shall be substituted the words “regulations 16, 17, 18 and 33”.

4. In regulation 33 of the principal regulations—

(a) for the words “regulation 33(2) and (3)” there shall be substituted the words “regulation 33(2), (3) and (5)”;

(b) after paragraph (4) there shall be added the following paragraphs—

“(5) Where, apart from regulation 33(1), rebate would be granted for any week, being a week—

(a) commencing after 27th September 1974;

(b) in relation to which regulation 33(2) does not apply; and

(a) 1973 c. 65.

(c) S.I. 1974/600 (1974 I, p. 2400).

(b) 1889 c. 63.

(c) in respect of which supplementary benefit has been paid or to the knowledge of the rating authority will be paid to the applicant—

then, notwithstanding anything in regulation 33(1), rebate shall be granted subject to the provisions of regulation 33(6) and (7) and of section 16(2) of the Ministry of Social Security Act 1966(a).

“(6) Where for any week rebate falls to be granted by reason of regulation 33(5), the amount to be granted shall be the amount which would be due under these regulations apart from this paragraph, less an amount bearing the same proportion to the amount of supplementary benefit paid to the applicant for that week as the amount of rebate due for that week under these regulations, apart from this paragraph, bears to the sum of that amount and the amount of any rent rebate or allowance for that week without any abatement in respect of supplementary benefit paid to the applicant.

“(7) Where the amount of rebate calculated under these regulations falls to be reduced in accordance with regulation 33(6) to an amount of less than 5 new pence, an authority may or may not grant the rebate as they think fit.”

William Ross,
One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh.
18th September 1974.

We consent.

James A. Dunn,
Donald R. Coleman,
Two of the Lords Commissioners
of Her Majesty's Treasury.

23rd September 1974.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations make provision for the retrospective granting of rebate to applicants who have been receiving supplementary benefit of a less amount than the rate rebate and rent rebate or allowance under the Housing (Financial Provisions) (Scotland) Act 1972 (1972, c. 46) which they might receive and for the adjustment of rebate in respect of the supplementary benefit paid.

(a) 1966 c. 20.

SI 1974/1602
ISBN 0-11-041602-3



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