

1988 No. 631 (S.71)

**COMMUNITY CHARGES, SCOTLAND
WATER SUPPLY, SCOTLAND**

**The Standard and Collective Community Charges
(Scotland) Regulations 1988**

<i>Made</i> - - - -	<i>28th March 1988</i>
<i>Laid before Parliament</i>	<i>30th March 1988</i>
<i>Coming into force</i>	<i>20th April 1988</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 10(2) and (3), 11(2) and (10), 26(1) and 31(3) of, and those sections as read with paragraph 11 of Schedule 5 to, the Abolition of Domestic Rates Etc. (Scotland) Act 1987(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Standard and Collective Community Charges (Scotland) Regulations 1988 and shall come into force on 20th April 1988.

Interpretation

2. In these Regulations—

“the Act” means the Abolition of Domestic Rates Etc. (Scotland) Act 1987;

“voluntary organisation” means a body the activities of which are carried on otherwise than for profit;

and any reference to a section of the Act includes a reference to that section as read with paragraph 11 of Schedule 5 to the Act.

Standard community charge - prescribed excepted classes of premises

3. The following classes of premises are prescribed for the purposes of section 10(2) of the Act (premises falling within section 10(2)(a) to (c) in respect of which the standard community charge is not payable) namely:—

- (a) a dwellinghouse which is or forms part of a building in respect of which a local authority have made an order under section 13 of the Building (Scotland) Act 1959(b);
- (b) a dwellinghouse which is a house in respect of which a local authority have made a closing order under section 114 of the Housing (Scotland) Act 1987(c);
- (c) a dwellinghouse which is or forms part of a building in respect of which a local authority have made a demolition order under section 115 of that Act of 1987; and

(a) 1987 c.47; section 26(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made.

(b) 1959 c.24; section 13 was amended by the Local Government (Scotland) Act 1973 (c.65), Schedule 15, paragraph 10.

(c) 1987 c.26.

- (d) a dwellinghouse which is incapable of, and is not, being lived in because it is being repaired, improved or reconstructed.

Collective community charge - prescribed class of premises

4. The class of premises prescribed for the purposes of paragraphs (a) and (b) of section 11(2) of the Act (premises which are not subject to non-domestic rates or which are part residential subjects in respect of which the collective community charge is payable) is premises managed by a voluntary organisation for the temporary accommodation of persons who have left their homes as a result of physical violence or mental cruelty or threats of such violence or cruelty from persons to whom they are married or with whom they are or were co-habiting.

Collective community charge multiplier - prescribed factors

5. For the purposes of section 11(10)(b) of the Act (additional factors to which registration officer is to have regard in determining the collective community charge multiplier in respect of any premises) the following factors are prescribed:-

- (a) the maximum number of persons for whom the premises are capable of providing residential accommodation;
- (b) the number of persons who, at any time during the 3 months immediately prior to the registration officer determining a collective community charge multiplier in respect of the premises, were solely or mainly resident in the premises; and
- (c) the extent to which the number of persons solely or mainly resident in the premises during the period when the current collective community charge multiplier has been in force is greater or less than the number of persons to which the registration officer had regard when he determined that multiplier.

New St. Andrew's House, Edinburgh
28th March 1988

Ian Lang
Minister of State,
Scottish Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe certain matters relating to the standard community charge and the collective community charge under sections 10 and 11 respectively of the Abolition of Domestic Rates Etc. (Scotland) Act 1987.

In relation to the standard community charge, they prescribe classes of premises in respect of which that charge is not payable (regulation 3).

In relation to the collective community charge they prescribe-

- (a) a class of premises in respect of which the charge is payable (regulation 4); and
- (b) factors to which a registration officer is to have regard in determining the collective community charge multiplier for any premises in respect of which the charge is payable (regulation 5).

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