

1989 No. 2362 (S.154)

COMMUNITY CHARGES, SCOTLAND
WATER SUPPLY, SCOTLAND

**The Community Water Charges (Scotland) Amendment
Regulations 1989**

Made - - - - - *11th December 1989*
Laid before Parliament *21st December 1989*
Coming into force *15th January 1990*

The Secretary of State, in exercise of the powers conferred upon him by sections 26(1) and 31(3) of, and 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 Community Water Charges (Scotland) Amendment Regulations 1989 and shall come into force on 15th January 1990.

Interpretation

2. In these Regulations—
“the Act” means the Abolition of Domestic Rates Etc. (Scotland) Act 1987; and
“the principal Regulations” means the Community Water Charges (Scotland) Regulations 1988(b).

Amendment of principal Regulations

3.—(1) Subject to regulation 4 below, the Schedule to the principal Regulations shall be amended as follows.

(2) After paragraph 3 of that Schedule, there shall be inserted the following entry:—

“Section 9A(c)

3A. Section 9A shall not apply.”

(3) For subparagraph (2) of paragraph 4 of that Schedule (adaptation to section 10 of the Act(d)), there shall be substituted the following subparagraph:—

“(2) There shall not be any standard community water charge multiplier or multipliers and, accordingly, the references to the standard community charge multiplier or multipliers in subsections (6) to (7H) of that section shall not be adapted.”

(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; paragraph 11 of Schedule 5 was amended by the Local Government Finance Act 1988 (c.41), Schedule 12, paragraph 38.

(b) S.I. 1988/1538.

(c) Section 9A of the Act was inserted by the Local Government and Housing Act 1989 (c.42), section 143.

(d) Section 10 of the Act was amended by the Local Government Finance Act 1988, Schedule 12, paragraph 19 and by the Local Government and Housing Act 1989, section 142.

4. The amendment made in regulation 3(3) above shall only apply for the purposes of and in relation to the financial year 1990-91 and any subsequent financial year.

St. Andrew's House, Edinburgh
11th December 1989

James Douglas-Hamilton
Parliamentary Under Secretary of State,
Scottish Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Community Water Charges (Scotland) Regulations 1988 (S.I. 1988/1538) ("the principal Regulations").

The principal Regulations prescribe adaptations, exceptions and modifications to which certain provisions of the Abolition of Domestic Rates Etc. (Scotland) Act 1987 (c.47) ("the Act") are subject, insofar as they have effect, by virtue of paragraph 11 of Schedule 5 to the Act, in relation to the community water charges.

Regulation 3(2) of these Regulations provides that section 9A of the Act, which was inserted by section 143 of the Local Government and Housing Act 1989 (c.42) ("the 1989 Act") and which provides for a reduction in liability for the personal community charge, shall not apply in relation to the personal community water charge.

Regulation 3(3) of these Regulations continues the previous effect of the principal Regulations in providing that there should not be any standard community water charge multipliers. This regulation is necessary because of the amendments made to section 10 of the Act by section 142 of the 1989 Act which were brought into force on 1st December 1989 by the Local Government and Housing Act 1989 (Commencement No. 1) Order 1989 (S.I. 1989/2180) but only for the purposes of and in relation to the financial year 1990-91 and any subsequent financial year. The amendment made by regulation 3(3) is similarly restricted by regulation 4.

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