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STATUTORY INSTRUMENTS

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**1994 No. 626 (S. 26)**

**COUNCIL TAX, SCOTLAND  
WATER SUPPLY, SCOTLAND**

**The Council Tax (Discounts)  
(Scotland) Amendment Order 1994**

<i>Made</i>	- - - -	<i>4th March 1994</i>
<i>Laid before Parliament</i>		<i>11th March 1994</i>
<i>Coming into force</i>	- -	<i>1st April 1994</i>

The Secretary of State, in exercise of the powers conferred upon him by section 113(1) of, and paragraphs 2 and 4 of Schedule 1 to, the Local Government Finance Act 1992<sup>(1)</sup> and those paragraphs as read with paragraph 11 of Schedule 11 to that Act and with the Council Water Charge (Scotland) Regulations 1992<sup>(2)</sup> made thereunder, and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Council Tax (Discounts) (Scotland) Amendment Order 1994 and shall come into force on 1st April 1994.

(2) In this Order, “the principal Order” means the Council Tax (Discounts) (Scotland) Order 1992<sup>(3)</sup>.

**Amendment of principal Order**

2. Article 4(2) of the principal Order shall be amended by inserting at the end the following subparagraph:—

“(j) income support where the applicable amount includes a disability premium in respect of which the additional condition in paragraph 12(1)(b) of Schedule 2 to the Income Support (General) Regulations 1987<sup>(4)</sup> is satisfied.”.

3. Paragraph 1 of article 7 of the principal Order shall be amended by substituting, for the words from “day” to the end of that paragraph, the following words:—

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(1) 1992 c. 14.  
(2) S.I. 1992/1203.  
(3) S.I. 1992/1408, as amended by S.I. 1993/343.  
(4) S.I. 1987/1967; relevant amending instrument is S.I. 1988/2022.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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“day, is undertaking, at such an educational establishment as is specified in paragraph 4 of Schedule 3 to this Order, a course which would (if successfully completed) lead to registration on any of Parts 1 to 8 of the Register maintained under section 10 of the Nurses, Midwives and Health Visitors Act 1979<sup>(5)</sup> as a first inclusion on that Register.”.

#### **Revocation**

4. The Council Tax (Discounts) (Scotland) Amendment Order 1993<sup>(6)</sup> is hereby revoked.

St Andrew's House,  
Edinburgh  
4th March 1994

*J Allan Stewart*  
Parliamentary Under Secretary of State, Scottish  
Office

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<sup>(5)</sup> 1979 c. 36.  
<sup>(6)</sup> S.I. 1993/343.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

The amount of council tax or council water charge payable under the Local Government Finance Act 1992 may be reduced where a person resident in a dwelling falls to be disregarded for the purposes of discount. Schedule 1 to the 1992 Act provides for classes of persons to qualify for the purposes of discount and the Council Tax (Discounts) (Scotland) Order 1992 (“the 1992 Order”) makes further provision in relation to certain of those classes.

This Order amends article 4 of the 1992 Order (the severely mentally impaired) so that a person may also qualify if he is entitled to income support which includes a disability premium on grounds which include his incapacity for work.

This Order also amends the definition of “student nurse” in article 7 of the 1992 Order. Since a person who is a “student nurse” cannot, in terms of article 6 of the 1992 Order, also be a “student”, the restriction by this Order of who may constitute a “student nurse” in future will have the effect that certain persons who are presently within that category will become “students” for council tax purposes. Students enjoy certain advantages over student nurses under the Order dealing with exempt dwellings in Scotland.