
STATUTORY INSTRUMENTS

1997 No. 1841

SOCIAL SECURITY

**The Council Tax Benefit (General)
Amendment Regulations 1997**

<i>Made</i>	- - - -	<i>28th July 1997</i>
<i>Laid before Parliament</i>		<i>30th July 1997</i>
<i>Coming into force</i>	- -	<i>1st April 1998</i>

The Secretary of State for Social Security, in exercise of the powers conferred on her by sections 131(10), 137(1) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992⁽¹⁾ and of all other powers enabling her in that behalf, after consultation with organisations appearing to her to be representative of the authorities concerned⁽²⁾ and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it⁽³⁾, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Council Tax Benefit (General) Amendment Regulations 1997 and shall come into force on 1st April 1998.

Amendment of the Council Tax Benefit (General) Regulations 1992

2.—(1) The Council Tax Benefit (General) Regulations 1992⁽⁴⁾ shall be amended in accordance with the following paragraphs.

(2) In regulation 2 (interpretation) the following definition shall be inserted in the appropriate place—

““valuation band” shall be construed in England and Wales in accordance with section 5(6) of the Local Government Finance Act 1992⁽⁵⁾ and in Scotland in accordance with section 74(5) of that Act;”.

(1) 1992 c. 4; section 131 was substituted and section 137 was amended to have effect with respect to council tax benefit by Schedule 9 to the Local Government Finance Act 1992 (c. 14); section 137(1) is an interpretation provision and is cited because of the meaning ascribed to the word “prescribed”.

(2) See section 176(1) of the Social Security Administration Act 1992 (c. 5).

(3) See section 173(1)(b) of the Social Security Administration Act 1992 (c. 5).

(4) S.I. 1992/1814; relevant amending instruments are S.I. 1993/688, 1994/2137, and 1996/194 and 599.

(5) 1992 c. 14.

(3) In regulation 51 (maximum council tax benefit) after paragraph (2) the following new paragraphs shall be inserted—

“(2A) Except in a case to which paragraph (2B) applies, in calculating the amount of a person’s maximum council tax benefit under this regulation where the dwelling concerned for the purposes of section 5(2) or (3) or 74(2) of the 1992 Act—

- (a) is in valuation band F, the maximum council tax benefit shall be 11/13ths of the amount A/B above;
- (b) is in valuation band G, the maximum council tax benefit shall be 11/15ths of the amount A/B above;
- (c) is in valuation band H, the maximum council tax benefit shall be 11/18ths of the amount A/B above;

less any deductions in respect of non-dependants to which paragraph (1) refers.

(2B) Where the amount of a person’s council tax is reduced in accordance with the provisions of the Council Tax (Reductions for Disabilities) Regulations 1992(6) or the Council Tax (Reductions for Disabilities)(Scotland) Regulations 1992(7), in calculating the amount of a person’s maximum council tax benefit where the alternative valuation band attributed to the dwelling concerned for the purposes of those Regulations—

- (a) is valuation band F, the maximum council tax benefit shall be 11/13ths of the amount A/B above;
- (b) is valuation band G, the maximum council tax benefit shall be 11/15ths of the amount A/B above;

less any deductions in respect of non-dependants to which paragraph (1) refers.”.

(4) In Schedule 2 (amount of alternative maximum council tax benefit)—

- (a) in paragraph 1(1) after the words “Subject to” there shall be inserted the words “sub-paragraphs (3) and (4) and”;
- (b) after the Table, the following sub-paragraphs shall be inserted—

“(3) Except in a case to which sub-paragraph (4) applies, in calculating the amount of a person’s alternative maximum council tax benefit where the dwelling concerned for the purposes of section 5(2) or (3) or 74(2) of the 1992 Act—

- (a) is in valuation band F, the alternative maximum council tax benefit shall be 11/13ths of the relevant amount in column (2) of the Table above;
- (b) is in valuation band G, the alternative maximum council tax benefit shall be 11/15ths of the relevant amount in column (2) of the Table above;
- (c) is in valuation band H, the alternative maximum council tax benefit shall be 11/18ths of the relevant amount in column (2) of the Table above.

(4) Where the amount of a person’s council tax is reduced in accordance with the provisions of the Council Tax (Reductions for Disabilities) Regulations 1992 or the Council Tax (Reductions for Disabilities)(Scotland) Regulations 1992, in calculating the amount of a person’s alternative maximum council tax benefit where the alternative valuation band attributed to the dwelling concerned for the purposes of those Regulations—

- (a) is valuation band F, the alternative maximum council tax benefit shall be 11/13ths of the relevant amount in column (2) of the Table above;

(6) S.I. 1992/554.

(7) S.I. 1992/1335 (S.132).

(b) is valuation band G, the alternative maximum council tax benefit shall be 11/15ths of the relevant amount in column (2) of the Table above.”.

Signed by authority of the Secretary of State for Social Security.

28th July 1997

Keith Bradley
Parliamentary Under-Secretary of State,
Department of Social Security

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Council Tax Benefit (General) Regulations 1992 (S.I.1992/1814) to limit the maximum amount of council tax benefit or alternative maximum council tax benefit to which a claimant may be entitled where the dwelling in which he resides falls within any of the valuation bands F to H to which section 5 or 74 of the Local Government Finance Act 1992 (c. 14) refers.

These Regulations do not impose a charge upon businesses.