
WELSH STATUTORY INSTRUMENTS

2013 No. 3029

**The Council Tax Reduction Schemes and
Prescribed Requirements (Wales) Regulations 2013**

PART 6

Revocation, transitional and savings provisions

Interpretation

35. In this Part of the Regulations—

“2012 Regulations” (“*Rheoliadau 2012*”) means the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012(1);

“2013 scheme” (“*cynllun 2013*”) means a scheme made by a billing authority in accordance with the 2012 Regulations or which applies in default on 1 April 2013 in accordance with paragraph 6(1)(e) of Schedule 1B to the Local Government Finance Act 1992;

“relevant authority” (“*awdurdod perthnasol*”) means an authority administering a 2013 scheme or a scheme;

“scheme” (“*cynllun*”) means a scheme made by a billing authority in accordance with these Regulations or which applies in default on 1 April 2014 in accordance with paragraph 6(1)(e) of Schedule 1B to the Local Government Finance Act 1992.

Revocation and savings

36.—(1) Subject to paragraph (2) the 2012 Regulations are revoked on 1 April 2014.

(2) The 2012 Regulations continue to apply to any applications made and any reductions awarded in accordance with the provisions of a 2013 scheme.

Persons to be treated as having made an application for a reduction

37.—(1) A person who falls within one of the categories of person described in paragraph (2) is to be treated as having made an application for a reduction under a scheme on 15 February 2014.

(2) A person referred to in paragraph (1) is a person who—

- (a) is in receipt of a reduction under a 2013 scheme on 15 February 2014;
- (b) has made an application for a reduction under a 2013 scheme which is not determined immediately before 15 February 2014;
- (c) has served a written notice upon a relevant authority regarding a decision of the authority in relation to a claim for a reduction under a 2013 scheme, and whose decision in respect of the written notice is pending immediately before 15 February 2014;

- (d) has appealed to the Valuation Tribunal for Wales against a decision of a relevant authority in relation to a claim for a reduction under a 2013 scheme, and whose appeal or decision in respect of the appeal is pending immediately before 15 February 2014;
 - (e) has appealed against the decision of the Valuation Tribunal for Wales in relation to claim for a reduction under a 2013 scheme, and whose appeal is pending immediately before 15 February 2014.
- (3) For the purposes of paragraph (2)(e) an appeal against a decision relating to a claim for a reduction under a 2013 scheme is pending if—
- (a) an appeal against the decision has been brought but not determined; or
 - (b) an application for permission to appeal against the decision has been made but not determined.

Applications received between 15 February 2014 and 31 March 2014

38. A person who makes a claim for a reduction under a 2013 scheme on any day during the period beginning on 15 February 2014 and ending on 31 March 2014 is to be treated as having made an application for a reduction under a scheme on the same day.

Date on which change of circumstances is to take effect

39.—(1) Where a person (P) by virtue of regulation 37(1) or 38 is treated as having made an application for a reduction under a scheme and—

- (a) on 15 February 2014 P is, or on any day during the period beginning on 15 February 2014 and ending on 31 March 2014 becomes, a person to whom the relevant provisions apply; and
- (b) the effective date for the change of circumstances in accordance with the relevant provisions is a date after 31 March 2014,

the application is to be determined as though the change of circumstances has not taken place, but is to be re-determined upon the effective date to take account of the change of circumstances.

(2) In paragraph (1) “relevant provisions” (“*darpariaethau perthnasol*”) means—

- (a) a provision contained within a 2013 scheme by virtue of regulation 30(2) of, and paragraph 40(10) to (12) of Schedule 1 to, the 2012 Regulations (date on which change of circumstances is to take effect: pensioners);
- (b) a provision contained within a 2013 scheme by virtue of regulation 31(2) of, and paragraph 46(10) to (12) of Schedule 6 to, the 2012 Regulations (date on which change of circumstances is to take effect: persons who are not pensioners); or
- (c) paragraph 105(10) to (12) of the scheme prescribed in the Schedule to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2012(2) (date on which change of circumstances is to take effect).

Notification relating to change of circumstances

40. Where by virtue of regulation 37(1) or 38 a person is treated as having made an application under a scheme, the following provisions in a relevant authority’s scheme do not apply in relation to that person’s application—

- (a) a provision contained in a scheme by virtue of regulation 33(3) of, and paragraph 1(7) of Schedule 13 to these Regulations (who may make an application); or

- (b) paragraph 107(7) of the scheme prescribed in the Schedule to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 (who may make an application).