STATUTORY INSTRUMENTS

1974 No. 1316 (S.113)

HOUSING, SCOTLAND

The Rent Rebate and Rent Allowance Schemes (Scotland) (No. 3) Regulations 1974

Made - - -	30*th July* 1974
Laid before Parliament	1*st August* 1974
Coming into Operation	27*th September* 1974

In exercise of the powers conferred on me by section 17(2) of the Housing (Financial Provisions) (Scotland) Act 1972(**a**) and of all other powers enabling me in that behalf, and having consulted with such associations of local authorities as appear to me to be concerned, I hereby, with the consent of the Treasury, make the following regulations:—

1. These regulations may be cited as the Rent Rebate and Rent Allowance Schemes (Scotland) (No. 3) Regulations 1974 and shall come into operation on 27th September 1974.

2.—(1) In these regulations:—

"the Act" means the Housing (Financial Provisions) (Scotland) Act 1972;

"the principal regulations" means the Rent Rebate and Rent Allowance Schemes (Scotland) Regulations 1973(**b**);

"the 1973 (No. 2) regulations" means the Rent Rebate and Rent Allowance Schemes (Scotland) (No. 2) Regulations 1973(**c**).

(2) The Interpretation Act 1889(**d**) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

3. In relation to any week in a rebate period or allowance period, being a week commencing after 27th September 1974 the following sub-paragraphs shall be substituted for sub-paragraphs (1) and (2) of paragraph 8 of Schedule 2 to the Act, as amended by regulation 3 of the 1973 (No. 2) regulations:—

"(1) Subject to sub-paragraph (2) below, the needs allowance for each week is—

(*a*) for an individual person who has no dependent children	£17·75;
(*b*) for a married couple	£24·25;
(*c*) for an individual person who has a dependent child or children	£24·25;
(*d*) for each dependent child of a tenant or his spouse ...	£3·55.

(2) The needs allowance for each week is—

(*a*) for an individual person who has no dependent children and who is a chronically sick or disabled person ...	£19·25;
(*b*) for a married couple, one of whom is a chronically sick or disabled person	£25·75;

(**a**) 1972 c. 46.
(**b**) S.I. 1973/546 (1973 I, p. 1736).
(**c**) S.I. 1973/1517 (1973 II, p. 4601).
(**d**) 1889 c. 63.

(*c*) for an individual person who is a chronically sick or disabled person and who has a dependent child or children ... ... £25·75;

(*d*) for a married couple both of whom are chronically sick or disabled persons ... ... £26·65."

4. In paragraph 4(2)(*b*) of Schedule 3 to the Act, as amended by regulation 5 of the principal regulations and regulation 4 of the 1973 (No. 2) regulations for the word "1973" there shall be substituted the word "1974".

5. The Rent Rebate and Rent Allowance Schemes (Scotland) (No. 2) Regulations 1974(**a**) shall cease to have effect in relation to any week in a rebate or allowance period being a week commencing after 27th September 1974.

William Ross,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.

30th July 1974.

We consent.

James A. Dunn,
M. Cocks,
Two of the Lords Commissioners of Her Majesty's Treasury.

30th July 1974.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

Paragraph 8(1) and (2) of Schedule 2 to the Housing (Financial Provisions) (Scotland) Act 1972 specify the needs allowances by reference to which entitlement to rent rebates and allowances is calculated. The amounts of the needs allowances were last increased by regulation 3 of the Rent Rebate and Rent Allowance Schemes (Scotland) (No. 2) Regulations 1973.

These Regulations make further increases in the needs allowances in relation to any week of a rebate period or allowance period, being a week commencing after 27th September 1974. The Regulations also amend paragraph 4(2)(*b*) of Schedule 3 to the Act of 1972 so as to allow local authorities to extend by two months the rebate or allowance period of six months where the period commenced during February or March 1974.

The Rent Rebate and Rent Allowance Schemes (Scotland) (No. 2) Regulations 1974 provided that the increases in benefits, pensions and allowances taking effect from 22nd July 1974 should not rank as income or as a change of circumstances while the then existing needs allowances remained unaltered. In consequence of the increases in the needs allowances made by these Regulations, the Rent Rebate and Rent Allowance Schemes (Scotland) (No. 2) Regulations 1974 are no longer required and regulation 5 of these Regulations accordingly provides for them ceasing to have effect.

(a) S.I. 1974/1097 (1974 II, p.4022).

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