STATUTORY INSTRUMENTS

1974 No. 1332

HOUSING, ENGLAND AND WALES

The Rent Rebate and Rent Allowance Schemes (England and Wales) (No. 2) Regulations 1974

Made - - -	31*st July* 1974
Laid before Parliament	1*st August* 1974
Coming into Operation	2*nd September* 1974

The Secretary of State for the Environment as respects England and the Secretary of State for Wales as respects Wales, having referred their proposals to make regulations under section 20(2) of the Housing Finance Act 1972(**a**) to the Advisory Committee on Rent Rebates and Rent Allowances pursuant to section 20(3) of that Act, and with the consent of the Treasury, in exercise of the powers conferred on them by the said section 20(2), and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Rent Rebate and Rent Allowance Schemes (England and Wales) (No. 2) Regulations 1974 and shall come into operation on 2nd September 1974.

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

(3) In these regulations—

"the Act" means the Housing Finance Act 1972;

"Schedule 3" means Schedule 3 to the Act;

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

"the July regulations" means the Rent Rebate and Rent Allowance Schemes (England and Wales) Regulations 1974(**d**).

(4) In these regulations, unless the context otherwise requires, references to any enactment shall be construed as references thereto as varied by regulations made under that enactment itself and as amended, varied, extended or applied by or under any other enactment.

Effective date for variation of Schedule 3 *and for revocation of the July regulations*

2. Without prejudice to the making at any time before 30th September 1974 of a scheme under Part II of the Act expressed to come into operation on that date, being a scheme taking account of the variation of the provisions of

(**a**) 1972 c. 47.
(**b**) 1889 c. 63.
(**c**) S.I. 1973/1387 (1973 II p. 4275).
(**d**) S.I. 1974/1076 (1974 II, p. 3987).

paragraph 8 of Schedule 3 made by regulation 3 below and of the revocation of the July regulations by regulation 4 below, the said variation and revocation shall take effect on that date and not before.

Variation of Schedule 3

3. In relation to any week in a rebate period or allowance period, being a week commencing after 29th September 1974, Schedule 3 shall have effect with the substitution for paragraph 8, as varied by the 1973 regulations, of the following paragraph—

"8.—(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 registered in pursuance of arrangements made under section 29(1) of the National Assistance Act 1948 (welfare arrangements for handicapped persons) ...	£19·25
(*b*) for a married couple one of whom is so registered ...	£25·75
(*c*) for an individual person who is so registered and who has a dependent child or children	£25·75
(*d*) for a married couple both of whom are so registered ...	£26·65"

Revocation

4. The July regulations are hereby revoked.

Anthony Crosland,
Secretary of State for the Environment.

31st July 1974.

John Morris,
Secretary of State for Wales.

30th July 1974.

We consent

James A. Dunn,
John Golding,
Two of the Lords Commissioners
of Her Majesty's Treasury.

31st July 1974.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, which apply to England and Wales, further vary paragraph 8 (Needs allowance) of Schedule 3 to the Housing Finance Act 1972 ("the Act of 1972") by reference to which the amount of any rent rebate or rent allowance is calculated, so as to increase the needs allowance for any week in a rebate period or allowance period commencing after 29th September 1974 by amounts varying between 55p for a dependent child and £3·90 for a married couple who are both registered as handicapped.

They also revoke the Rent Rebate and Rent Allowance Schemes (England and Wales) Regulations 1974 ("the July regulations") whereunder certain increases in National Insurance and related benefits were not required to be brought into account for the calculation of rent rebates or rent allowances while the needs allowance remained unaltered.

Schedules 3 and 4 to the Act of 1972, with which, subject to the other provisions of the Act, every rent rebate scheme and every rent allowance scheme under Part II of that Act must conform, were amended by the Furnished Lettings (Rent Allowances) Act 1973 (c. 6), and have also been varied by regulations. Paragraph 8 of Schedule 3 was last varied by the Rent Rebate and Rent Allowance Schemes (England and Wales) (No. 2) Regulations 1973. The effective date for the further variation of that paragraph made by the present regulations, and for the revocation of the July regulations, is 30th September 1974, although schemes taking account of these matters, and expressed to come into force on 30th September 1974, may be made before that date.

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