STATUTORY INSTRUMENTS

# 1975 No. 1321 (S.195)

# HOUSING, SCOTLAND

## The Rent Rebate and Rent Allowance Schemes (Scotland) (No. 2) Regulations 1975

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| *Made - - -* | *5th August* 1975 |
| *Laid before Parliament* | 11*th August* 1975 |
| *Coming into Operation* | 1*st September* 1975 |

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:—

*Citation and Commencement*

**1.** These regulations, which may be cited as the Rent Rebate and Rent Allowance Schemes (Scotland) (No. 2) Regulations 1975, shall come into operation on 1st September 1975.

*Interpretation*

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

(2) In these regulations—

"the Act" means the Housing (Financial Provisions) (Scotland) Act 1972;
"Schedule 2" means Schedule 2 to the Act.

(3) In these regulations, unless the context otherwise requires, references to any enactment shall be construed as references to that enactment 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 2*

**3.** Without prejudice to the making at any time before 1st September 1975 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 paragraph 9 of Schedule

(a) 1972 c. 46. (b) 1889 c. 63.

2 made by regulation 4 of these regulations, and of paragraph 12 of Schedule 2 made by regulation 5 of these regulations, the said variation shall take effect on that date and not before.

*Variation of paragraph 9 of Schedule 2*

**4.** In relation to any week in a rebate period or allowance period, being a week commencing after 31st August 1975, in paragraph 9(2)(k) of Schedule 2 the words "in so far as relating to rent allowances" shall be omitted.

*Variation of paragraph 12 of Schedule 2*

**5.** In relation to any week in a rebate period or allowance period being a week commencing after 31st August 1975, in paragraph 12(1A) of Schedule 2 the words "from an allowance" shall be omitted.

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

New St. Andrew's House,
Edinburgh.

4th August 1975.

We consent,

*J. Dormand*
*Donald R. Coleman*
Two of the Lords Commissioners
of Her Majesty's Treasury.

5th August 1975.

## EXPLANATORY NOTE

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

These Regulations apply to rent rebates certain provisions which formerly related only to rent allowances granted under Part II of the Housing (Financial Provisions) (Scotland) Act 1972 (the 1972 Act) as amended by the Furnished Lettings (Rent Allowances) Act 1973 (c.6) and the Rent Act 1974 (c.51). This change follows the amendment by paragraph 8 of Schedule 3 to the Housing Rents and Subsidies (Scotland) Act 1975 (c.28) of paragraphs 17(3) to (5) of Schedule 2 to the 1972 Act (added by section 12(5)(b) of the Rent Act 1974).

Regulation 4 amends paragraph 9(2)(k) of Schedule 2 so that the sub-paragraph shall have effect for the future in relation to rebate periods as well as allowance periods.

Regulation 5 further varies paragraph 12 of Schedule 2 to the Housing (Financial Provisions) (Scotland) Act 1972 (with which, subject to the other provisions of that Act, as amended, every rent rebate and allowance scheme under Part II of that Act must conform) so as to remove from sub-paragraph (1A) the former limitation to rent allowances. Sub-paragraph (1A), which was added to the 1972 Act by the Rent Allowance Schemes (Scotland) (No. 2) Regulations 1974 (S.I. 1974/2019), now provides, as varied by these regulations, for the non-dependants deduction which is required to be made from a rebate or allowance in certain cases where the non-dependants concerned are students in receipt of certain awards or grants from public funds for the purposes of their further full-time education.

The effective date for the variation made by regulation 3 of these regulations is 1st September 1975, although schemes taking account of it, and expressed to come into operation on 1st September 1975, may be made before that date.

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