STATUTORY INSTRUMENTS

1975 No. 342

HOUSING, ENGLAND AND WALES

The Rent Rebate and Rent Allowance Schemes (England and Wales) (No. 2) Regulations 1975

Made - - - -	10*th March* 1975
Laid before Parliament	12*th March* 1975
Coming into Operation	2*nd April* 1975

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 1975 and shall come into operation on 2nd April 1975.

(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 first regulations" means the Rent Allowance Schemes (England and Wales) Regulations 1974**(c)**, and

"the second regulations" means the Rent Allowance Schemes (England and Wales) (No. 2) 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.

(a) 1972 c. 47.
(b) 1889 c. 63.
(c) S.I. 1974/1499 (1974 III, p. 5756).
(d) S,I, 1974/1936 (1974 III, p. 6680).

Effective date for variation of Schedule 3

2. Without prejudice to the making at any time before 7th April 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 12 of Schedule 3 made by regulation 3 of these regulations, the said variation shall take effect on that date and not before.

Variation of paragraph 12 *of Schedule* 3

3. In relation to any week in a rebate period or allowance period, being a week commencing after 6th April 1975, paragraph 12 of Schedule 3, as varied by the second regulations, shall have effect with the following variation—

in subparagraph (1A), the words "from an allowance" shall be omitted.

Amendment of the first regulations

4. In regulation 3 of the first regulations there shall be inserted, after "29th September 1974", the words "and in relation to any week in a rebate period, being a week commencing after 6th April 1975".

Anthony Crosland,
Secretary of State for the Environment.

5th March 1975.

John Morris,
Secretary of State for Wales.

10th March 1975.
We consent

T. Pendry,
Donald R. Coleman,
Two of the Lords Commissioners of Her Majesty's Treasury.

6th March 1975.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, which apply to England and Wales, apply in the case of rent rebates certain provisions which formerly related only to rent allowances granted under Part II (rent rebates and rent allowances) of the Housing Finance Act 1972, as amended by the Furnished Lettings (Rent Allowances) Act 1973 (c. 6) and the Rent Act 1974 (c. 51), following the amendment by paragraph 4 of Schedule 5 to the Housing Rents and Subsidies Act 1975 (c. 6) of section 25(2)(*c*) (added by section 11(7)(*a*) of the Rent Act 1974) of the Housing Finance Act.

Regulation 3 further varies paragraph 12 of Schedule 3 to the Housing Finance Act (with which, subject to the other provisions of that Act, as amended, every rent rebate scheme and every rent allowance scheme under Part II of that Act must conform) so as to remove from sub-paragraph (1A) the former limitation to rent allowances. This sub-paragraph, which was added by the Rent Allowance Schemes (England and Wales) (No. 2) Regulations 1974, 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.

Regulation 4 amends regulation 3 of the Rent Allowance Schemes (England and Wales) Regulations 1974 so that paragraph 9(2)(*l*) of Schedule 3 (which was added by that regulation) shall have effect for the future in relation to rebate periods as well as allowance periods. The wording of paragraph (*l*) itself (which relates to income to be disregarded in ascertaining the weekly income of a tenant and his spouse for the purposes of calculating his rebate or allowance) remains unaltered.

The effective date for the variation made by regulation 3 of these regulations is 7th April 1975, although schemes taking account of it, and expressed to come into operation on 7th April 1975, may be made before that date.

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