STATUTORY INSTRUMENTS

1977 No. 1467

HOUSING, ENGLAND AND WALES

The Rent Rebate and Rent Allowance Schemes (England and Wales) Regulations 1977

Made - - - -	31*st August* 1977
Laid before Parliament	9*th September* 1977
Coming into Operation	30*th September* 1977

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) Regulations 1977 and shall come into operation on 30th September 1977.

(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; and

"Schedule 4" means Schedule 4 to the Act.

(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 dates for variation of Schedules 3 *and* 4

2.—(1) Subject to sub-paragraph (2) below—

(*a*) the variation of Schedule 3 and paragraph 14 of Schedule 4 made by these regulations shall take effect on 14th November 1977; and

(*b*) the variation of paragraph 4 of Schedule 4 made by these regulations shall take effect on 30th September 1977.

(2) Nothing in sub-paragraph (1) above shall prejudice the making before 14th November 1977 of a scheme under Part II of the Act, being a scheme taking account of the variation of Schedules 3 and 4 made by these regulations.

(a) 1972 c. 47. **(b)** 1889 c. 63.

Variation of paragraph 8 *of Schedule* 3

3. In relation to any week in a rebate period or allowance period, being a week commencing after 13th November 1977, Schedule 3 shall have effect with the substitution for paragraph 8 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	£25·25
(*b*) for a married couple	£36·25
(*c*) for an individual person who has a dependent child or children	£36·25
(*d*) for each dependent child of a tenant or his spouse ...	£6·10

(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) ...	£27·85
(*b*) for a married couple one of whom is so registered ...	£38·85
(*c*) for an individual person who is so registered and who has a dependent child or children	£38·85
(*d*) for a married couple both of whom are so registered ...	£40·35.".

Variation of paragraph 9 *of Schedule* 3

4. In relation to any week in a rebate period or allowance period commencing after 13th November 1977, sub-paragraph (5) of paragraph 9**(a)** of Schedule 3 shall be varied by omitting from paragraph (*b*) of the definition of "special widow's pension" the words "or the Injuries in War (Compensation) Act 1915".

Variation of paragraph 14 *of Schedule* 3

5. In relation to any week in a rebate period or allowance period, being a week commencing after 13th November 1977, paragraph 14 of Schedule 3 shall have effect with the substitution for sub-paragraph (2) of the following sub-paragraph—

"(2) For the purposes of this Schedule the maximum rebate and the maximum allowance are—

(*a*) for a dwelling in the area of the Greater London Council	£13.00;
(*b*) for any other dwelling	£10.00".

Variation of paragraph 4 *of Schedule* 4

6. Sub-paragraph 2(*b*) of paragraph 4 of Schedule 4 shall be varied by substituting for the words "March or April 1976"**(b)** the words "March or April 1977".

Variation of paragraph 14 *of Schedule* 4

7. In relation to any application for a rebate or allowance or a further rebate

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(a) Substituted by regulation 4 of S.I. 1975/1441 (1975 III, p. 4829).
(b) Inserted by regulation 5(*a*) of S.I. 1975/1441 as varied by regulation 6 of S.I. 1976/1470 (1976 III, p. 3994).

or allowance made after 13th November 1977, sub-paragraph (1)(*b*) of paragraph 14 of Schedule 4 shall be varied by substituting for the words "Schedule 9 to that Act"**(a)** the words "Schedule 8 or 9 to the Rent Act 1977".

Signed by authority of the
Secretary of State for the
Environment
17th August, 1977.

Ernest Armstrong,
Parliamentary Under Secretary of State,
Department of the Environment.

Signed by authority of the
Secretary of State for Wales
22nd August 1977.

T. Alec Jones,
Parliamentary Under Secretary of State,
Welsh Office.

We consent.

T. E. Graham,
David Stoddart,
Two of the Lords Commissioners of
Her Majesty's Treasury.

31st August 1977.

EXPLANATORY NOTE

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

These Regulations, which apply to England and Wales, further vary Schedules 3 and 4 to the Housing Finance Act 1972 with which, subject to the other provisions of that Act, every rent rebate scheme and every rent allowance scheme under Part II of that Act must conform.

Regulations 3 and 5 vary paragraphs 8 and 14 of Schedule 3 to increase the needs allowance (to be used in calculating the amount of a rebate or allowance) and the maximum rebate and the maximum allowance, for any week in a rebate period or allowance period beginning after 13th November 1977.

(a) Substituted by paragraph 56(*b*) of Schedule 23 to the Rent Act 1977 (c. 42).

Regulation 4 removes from the definition of "special widow's pension" in paragraph 9(5) of Schedule 3 the reference to the Injuries in War (Compensation) Act 1915 as no pensions are now payable under that Act.

Regulation 6 varies paragraph 4 of Schedule 4, with effect from 30th September 1977, so as to allow authorities to extend current rebate and allowance periods in the case of non-pensioners where they would otherwise terminate before 14th November 1977.

Regulation 7 varies paragraph 14 of Schedule 4 to provide for rent paid in excess of the phased rent limit under Schedule 8 to the Rent Act 1977 to be disregarded in the calculation of rent allowances.

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