STATUTORY INSTRUMENTS

# 1978 No. 217

# HOUSING, ENGLAND AND WALES

## The Rent Rebate and Rent Allowance Schemes (England and Wales) Regulations 1978

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| *Made* - - - - | 16*th February* 1978 |
| *Laid before Parliament* | 28*th February* 1978 |
| *Coming into Operation* | 21*st March* 1978 |

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 1978 and shall come into operation on 21st March 1978.

(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 "Schedule 4" means Schedule 4 to the Housing Finance Act 1972.

(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.

*Variation of Schedule* 4

**2.** For sub-paragraph (2) of paragraph 4 of Schedule 4 there shall be substituted the following sub-paragraph—

"(2) A rebate period and an allowance period shall end, subject to paragraphs 5 and 6 below—

(*a*) if the tenant is of pensionable age, not later than twelve months after the date on which he was notified that his application for a rebate or allowance was granted; and

(*b*) if the tenant is not of pensionable age—

(i) where the date of notification falls during the month of March or April in any year, not later than nine months after that date; and

(ii) in any other case, not later than seven months after that date:

Provided that where in any case the period is less than the maximum period specified in paragraph (*a*) or (*b*) above, the authority may extend the period,

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

subject to paragraphs 5 and 6 below, so as to end not later than the expiry of the relevant maximum period.".

*Peter Shore*,
Secretary of State for the Environment.

10th February 1978.

*John Morris*,
Secretary of State for Wales.

14th February 1978.

We consent.

*T. M. Cox*,
*J. Dormand*,
Two of the Lords Commissioners of Her Majesty's Treasury.

16th February 1978.

## EXPLANATORY NOTE

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

These Regulations, which apply to England and Wales, further vary paragraph 4(2) of Schedule 4 to the Housing Finance Act 1972. They enable authorities to set the period for a rent rebate or a rent allowance, in the case of non-pensioners, at up to nine months, where the grant of the rebate or allowance is notified during March or April in any year. They also enable authorities who have set a shorter period, in the case of pensioners or non-pensioners, to extend that period at any time up to the maximum applicable.

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