STATUTORY INSTRUMENTS

1981 No. 1513 (S.155)

HOUSING, SCOTLAND

The Rent Rebate and Rent Allowance Schemes (Scotland) (No. 2) Regulations 1981

Made - - - -	*22nd October* 1981
Laid before Parliament	*2nd November* 1981
Coming into Operation	*23rd November* 1981

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 and with any local authority with whom consultation appears to me to be desirable, I hereby, with the consent of the Treasury, make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Rent Rebate and Rent Allowance Schemes (Scotland) (No. 2) Regulations 1981 and shall come into operation on 23rd November 1981.

Interpretation

2. In these regulations "the Act" means the Housing (Financial Provisions) (Scotland) Act 1972.

Variation of paragraph 8 of Schedule 2

3. In relation to any week in a rebate period or allowance period, being a week commencing after 22nd November 1981 the following sub-paragraphs shall be substituted for sub-paragraphs (1) and (2) of paragraph 8 of Schedule 2 to the Act **(b)**:—

"(1) Subject to sub-paragraph (2) below, the needs allowance for each week is:—

(a)	for an individual person who has no dependent children	£37.35
(b)	for a married couple	£55.60
(c)	for an individual person who has a dependent child or children	£55.60
(d)	for each dependent child of a tenant or his spouse	£10.35

(2) The needs allowance for each week is—

(a)	for an individual person who has no dependent children and who is a chronically sick or disabled person	£41.65

(a) 1972 c. 46.

(b) The relevant amending instrument is S.I. 1980/1552.

(b) for a married couple, one of whom is a chronically sick or disabled person £59.90

(c) for an individual person who is a chronically sick or disabled person and who has a dependent child or children £59.90

(d) for a married couple both of whom are chronically sick or disabled persons £62.00"

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 22nd November 1981, paragraph 9 of Schedule 2 to the Act shall be varied as follows:—

(a) for sub-paragraph (2) (c) there shall be substituted the following:—
"(c) £15.25 of the earnings of the tenant, and £5.00 of the earnings of the tenant's spouse, except where the tenant has no earnings or his earnings are less than £15.25 and the earnings of his spouse are greater than his own earnings, in which case the amount shall be £15.25 of the earnings of the tenant's spouse and, where applicable, £5.00 of the earnings of the tenant;"

(b) for sub-paragraph (2) (m) there shall be substituted the following:—
"(m) where the tenant attends a training course under the Training Opportunities Scheme established under section 2(1) of the Employment and Training Act 1973 **(a)** and receives an allowance from the Manpower Services Commission under the provisions of section 2(2)(d) of that Act and that allowance includes an amount expressed to be a lodging allowance, £10.85 of that lodging allowance."

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 22nd November 1981, the following sub-paragraphs shall be substituted for sub-paragraphs (1) and (1A) of paragraph 12 of Schedule 2 to the Act:—

"(1) The deductions from a rebate or allowance in respect of non-dependants are for each week—

(a) for each person aged 18 years or more, but under 21 years and neither undergoing full time instruction at an educational establishment (subject in the case of qualifying students to sub-paragraph (1A) below) nor in receipt of supplementary benefit £2.35

(b) for each person aged 21 years or more, but under pensionable age and neither undergoing full time instruction at an educational establishment (subject in the case of qualifying students to sub-paragraph (1A) below) nor in receipt of supplementary benefit except in the case mentioned in paragraph (e) below £3.50

(c) for each person in receipt of supplementary benefit £1.45

(d) for each person of pensionable age not in receipt of supplementary benefit, except in the case mentioned in paragraph (e) below £1.45

(e) for a married couple where the husband is of pensionable age and not in receipt of supplementary benefit £1.45

(a) 1973 c. 50.

(1A) In respect of non-dependants who are qualifying students, the deductions for each week for which (if they were tenants) they would be subject to deductions from rent for the purposes of paragraph 17(3) of the Schedule by virtue of regulations for the time being in force under the said paragraph 17(3) are

(a)	for each person aged 18 years or more but under 21 years and not in receipt of supplementary benefit	£2.35
(b)	for each person aged 21 years or more but under pensionable age and not in receipt of supplementary benefit	£3.50"

George Younger,
One of Her Majesty's Principal Secretaries of State.

New St. Andrews House,
Edinburgh.
20th October 1981.

We Consent.
22nd October 1981.

J. A. Cope,
Tony Newton,
Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE
(This Note is not part of the Regulations.)

These Regulations vary Schedule 2 to the Housing (Financial Provisions) (Scotland) Act 1972 with which, subject to other provisions of that Act, every rent rebate scheme and every rent allowance scheme must conform.

Regulation 3 increases the needs allowance specified in paragraph 8(1) and (2) of the Schedule by reference to which entitlement to rent rebates and allowances is calculated in relation to any week of a rebate period or allowance period being a week commencing after 22nd November 1981.

Regulation 4 increases (a) the amount of a tenant's earnings and, where appropriate, of the earnings of the tenant's spouse, and (b) the amount of the lodging allowance paid to a Training Opportunities Scheme trainee which are in terms of paragraph 9(2)(c) and (2)(m) of the Schedule, to be disregarded in calculating the amount of rebate or allowance.

Regulation 5 increases the deductions in respect of non-dependants which are, in terms of paragraph 12(1) and (1A) of the Schedule, to be used in calculating the amount of rebate or allowance for any week in a rebate or allowance period beginning after 22nd November 1981.

The allowances etc. provided for by paragraphs 8(1) and (2), 9(2)(c) and 12(1) and (1A) were last increased, and paragraph 9(2)(m) was inserted in the Schedule, by the Rent Rebate and Rent Allowance Schemes (Scotland) (No. 2) Regulations 1980.

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