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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 137**

**COUNCIL TAX**

**The Council Tax (Liability of Owners)  
(Scotland) Amendment Regulations 2003**

<i>Made</i>	- - - -	<i>3rd March 2003</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>6th March 2003</i>
<i>Coming into force</i>	- -	<i>1st April 2003</i>

The Scottish Ministers, in exercise of the powers conferred by sections 76(1) and (7) and 116(1) of the Local Government Finance Act 1992<sup>(1)</sup> and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation, commencement and amendment of the Council Tax (Liability of Owners)  
(Scotland) Regulations 1992**

**1.** These Regulations may be cited as the Council Tax (Liability of Owners) (Scotland) Amendment Regulations 2003 and shall come into force on 1st April 2003.

**2.—(1)** The Council Tax (Liability of Owners) (Scotland) Regulations 1992<sup>(2)</sup> are amended as follows.

(2) In the Schedule, for paragraph 3 there shall be substituted—

“**3.** A dwelling occupied, or which could be occupied, by persons who do not constitute a single household and which is occupied by one or more persons each of whom—

- (a) is a tenant of, or has a licence to occupy, part only of the dwelling; or
- (b) has a licence to occupy, but is not liable (whether alone or jointly with other persons) to pay rent or a licence fee in respect of the dwelling as a whole.”.

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(1) [1992 c. 14](#). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 ([c. 46](#)). In section 116(1), see the definition of “prescribed”.

(2) [S.I. 1992/1331](#); the relevant amending instrument is [S.I. 1993/344](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House, Edinburgh  
3rd March 2003

*PETER J PEACOCK*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Council Tax (Liability of Owners) (Scotland) Regulations 1992. The Schedule to those Regulations prescribes classes of dwellings in respect of which special rules are to apply as regards liability for the council tax. Paragraph 3 of that Schedule provides for the owner of certain houses in multiple occupation to be liable for that tax. The amendments relate to houses for multiple occupation.

Regulation 2 substitutes a new definition of houses in multiple occupation to ensure it includes dwellings that were not originally constructed or subsequently adapted for use as a house in multiple occupation but are being used as such.