
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 319

The Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012

PART 7

Amount of reduction

Residents of a dwelling to whom regulation 14(6) does not apply

57. Regulation 14(6) (conditions of entitlement to council tax reduction: alternative maximum council tax reduction) does not apply in respect of—

- (a) a person who is liable for council tax solely in consequence of the provisions of section 77 or 77A of the Act⁽¹⁾;
- (b) a person who is residing with a couple or with the members of a polygamous marriage where the applicant is a member of that couple or of that marriage and—
 - (i) in the case of a couple, neither member of that couple is a person who, in accordance with Schedule 1 to the Act⁽²⁾, falls to be disregarded for the purposes of discount; or
 - (ii) in the case of a polygamous marriage, two or more members of that marriage are not persons who, in accordance with Schedule 1 to the Act, fall to be disregarded for the purposes of discount;
- (c) a person who jointly with the applicant falls within the same sub-paragraph of section 75(2) (a) to (e) of the Act⁽³⁾ (persons liable to pay council tax) as applies in the case of the applicant; or
- (d) a person who is residing with two or more persons both or all of whom fall within the same sub-paragraph of section 75(2)(a) to (e) of the Act and two or more of those persons are not persons who, in accordance with Schedule 1 to the Act, fall to be disregarded for the purposes of discount.

(1) Section 77 was amended by section 4 of the Education (Graduate Endowment and Student Support) (Scotland) Act 2001 ([asp 6](#)) and [S.S.I. 2005/623](#). Section 77A was inserted by section 133 of the Civil Partnership Act 2004 ([c.33](#)).

(2) Schedule 1 was amended by paragraph 152 of Schedule 9 to the Powers of Criminal Courts (Sentencing) Act 2000 ([c.6](#)), paragraph 18 of schedule 3 to the Regulation of Care (Scotland) Act 2001 ([asp 8](#)), paragraph 152 of Schedule 1 to the National Health Service (Consequential Provisions) Act 2006 ([c.43](#)), paragraph 123 of Schedule 16 and paragraph 1 of Schedule 17 to the Armed Forces Act 2006 ([c.52](#)) and [S.S.I. 2005/465](#).

(3) Section 75(2) was amended by paragraph 19 of schedule 10 to the Housing (Scotland) Act 2001 ([asp 10](#)).