

1974 No. 1852 (S. 166)

HOUSING, SCOTLAND

Housing (Rent Income Subsidy) (Scotland) Regulations 1974

<i>Made - - - -</i>	<i>6th November 1974</i>
<i>Laid before Parliament</i>	<i>14th November 1974</i>
<i>Coming into Operation</i>	<i>5th December 1974</i>

In exercise of the powers conferred on me by section 46 of the Housing (Scotland) Act 1974(a), and of all other powers enabling me in that behalf, I hereby, with the consent of the Treasury, make the following regulations:—

Citation and commencement

1. These regulations, which may be cited as the Housing (Rent Income Subsidy) (Scotland) Regulations 1974 shall come into operation on 5th December 1974.

Interpretation

2.—(1) The Interpretation Act 1889(b) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(2) In these regulations, unless otherwise expressly provided or the context otherwise requires—

“the 1972 Act” means the Housing (Financial Provisions) (Scotland) Act 1972(c);

“the Counter-Inflation Act” means the Counter-Inflation Act 1973(d);

“the Counter-Inflation Order” means the Counter-Inflation (Residential Rents—Public Sector) (Scotland) Order 1974(e) as amended by the Counter-Inflation (Residential Rents—Public Sector) (Scotland) (No. 2) Order 1974(f);

“Rent Income Subsidy” has the meaning assigned to it by section 46 of the Housing (Scotland) Act 1974;

and any expression used in these regulations which is also used in the 1972 Act or in the Counter-Inflation Act shall have the same meaning in these regulations as it has in the 1972 Act or in the Counter-Inflation Act.

(3) In these regulations, unless the context otherwise requires, references to any enactment shall be construed as references to that enactment as amended, extended or applied by or under any other enactment.

(a) 1974 c. 45.

(c) 1972 c. 46.

(e) S.I. 1974/383 (1974 I, p. 1223).

(b) 1889 c. 63.

(d) 1973 c. 9.

(f) S.I. 1974/1482(1974 III, p. 5678).

(4) In these regulations, unless the context otherwise requires, any reference to a numbered regulation is a reference to the regulation bearing that number in these regulations.

Entitlement to Rent Income Subsidy

3. Subject to the provisions of these regulations a local authority shall be entitled to rent income subsidy for the year 1974-75 in any case where, but for the making of the Counter-Inflation Order they would have been required to increase standard rents in that year in accordance with the provisions of section 28 of the 1972 Act.

Amount of Rent Income Subsidy

4. The amount of rent income subsidy shall be 90% of the amount by which the income which would have been receivable from standard rents by a local authority in the year 1974-75 if the Counter-Inflation Order had not been made exceeds the income receivable by the local authority from standard rents in that year:

Provided that where—

(a) the amount of income receivable from standard rents together with the amount of rent income subsidy which would otherwise be payable in terms of these regulations, and all other items specified to be credited to the housing revenue account for the year 1974-75 in terms of Schedule 4 to the 1972 Act,

would exceed—

(b) the amount of expenditure specified as to be debited to that account, after excluding any working balance debited under paragraph 5(1) of that Schedule,

then the amount of rent income subsidy shall be restricted to the amount required to balance the housing revenue account calculated as aforesaid.

Payment of Rent Income Subsidy and Accounting Provisions

5.—(1) Rent income subsidy shall be payable by the Secretary of State at such times and in such manner as he may direct and subject to such conditions as to records, certificates, audit or otherwise, as he may impose.

(2) Without prejudice to the generality of paragraph (1) above the making of any such payment shall be subject to the making of a claim for payment in such form, and containing such particulars, as the Secretary of State may from time to time determine.

(3) The aggregate amount of rent income subsidy payable to a local authority shall be calculated to the nearest pound by disregarding an odd amount of 50 new pence or less and by treating an odd amount exceeding 50 new pence as a whole pound.

William Ross,
One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh.

1st November 1974.

We consent.

M. Cocks,
J. Dormand,
Two of the Lords Commissioners
of Her Majesty's Treasury.

6th November 1974.

EXPLANATORY NOTE

(This Note is not part of the Regulations) .

These Regulations make provision for the payment of rent income subsidy to local authorities for the year 1974-75. Rent income subsidy is payable where an order has been made under the Counter-Inflation Act 1973 preventing local authorities from increasing standard rents.

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