
STATUTORY INSTRUMENTS

1988 No. 1540 (S.153)

COMMUNITY CHARGES, SCOTLAND

WATER SUPPLY, SCOTLAND

**The Standard and Collective Community Charges
(Scotland) Amendment Regulations 1988**

<i>Made</i>	- - - -	<i>6th September 1988</i>
<i>Laid before Parliament</i>		<i>9th September 1988</i>
<i>Coming into force</i>	- -	<i>1st October 1988</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 10(2) and (3), 26(1) and 31(3) of the Abolition of Domestic Rates Etc. (Scotland) Act 1987((1)), and those sections as read with paragraph 11 of Schedule 5 to that Act((2)) and with the Community Water Charges (Scotland) Regulations 1988((3)) made thereunder, and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Standard and Collective Community Charges (Scotland) Amendment Regulations 1988 and shall come into force on 1st October 1988.

Interpretation

2. In these Regulations “the principal Regulations” means the Standard and Collective Community Charges (Scotland) Regulations 1988((4)).

Amendment of principal Regulations

3. Regulation 2 of the principal Regulations (interpretation) shall be amended as follows:—
(a) after the definition of “the Act” there shall be inserted the following definitions:—

(1) 1987 c. 47; section 10(3) was amended by the Local Government Finance Act 1988 (c. 41), Schedule 12, paragraph 19(2); section 26(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made.
(2) Paragraph 11 was amended by the Local Government Finance Act 1988, Schedule 12, paragraph 38.
(3) S.I.1988/1538
(4) S.I. 1988/631

““hospital” has the same meaning as in paragraph 8(2) of Schedule 1A to the Act((5));

- (b) for the words “to the Act” at the end of that regulation, there shall be substituted the words “to the Act and the Community Water Charges (Scotland) Regulations 1988”” .

4. Regulation 3 of the principal Regulations (standard community charge-prescribed excepted classes of premises) shall be amended as follows:—

- (a) at the end of paragraph (c) the word “and” shall be deleted;
- (b) in paragraph (d) for the word “reconstructed.” there shall be substituted the words “reconstructed; and” ;
- (c) after paragraph (d) there shall be inserted the following paragraph:—

“(e) a dwellinghouse in respect of any time during which any person who would, but for this provision, be liable to pay the standard community charge in respect thereof (including any person who may be jointly and severally liable for that charge) falls within the following description, that is to say:—

- (i) he is solely or mainly resident in premises which are a hospital, residential care home, nursing home, private hospital or hostel;
- (ii) he is exempt from liability to pay the personal community charge by virtue of paragraph 8 or 9 of Schedule 1A to the Act (exemption from liability of certain persons solely or mainly resident in such premises); and (iii) immediately before becoming solely or mainly resident in such premises, he was solely or mainly resident in the dwellinghouse.”.

St Andrew’s House,
Edinburgh
6th September 1988

Ian Lang
Minister of State, Scottish Office

(5) Schedule 1A to the Abolition of Domestic Rates Etc. (Scotland) Act 1987 was inserted by the Local Government Finance Act 1988, Schedule 12, paragraph 35.

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Standard and Collective Community Charges (Scotland) Regulations 1988 by prescribing an additional class of premises in respect of which the standard community charge is not payable.