

1988 No. 1889 (S.177)

**COMMUNITY CHARGES, SCOTLAND
SOCIAL SECURITY
WATER SUPPLY, SCOTLAND**

**Community Charges (Information Concerning Social
Security) (Scotland) Regulations 1988**

Made - - - - - *31st October 1988*
Laid before Parliament *2nd November 1988*
Coming into force - *23rd November 1988*

The Secretary of State for Social Security, in exercise of the powers conferred by sections 20B(1) and (2)(c), 26(1) and 31(2) and (3) of the Abolition of Domestic Rates Etc (Scotland) Act 1987(a) and those sections as read with paragraph 11 of Schedule 5 to that Act(b) and with the Community Water Charges (Scotland) Regulations 1988(c) 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 Community Charges (Information Concerning Social Security) (Scotland) Regulations 1988 and shall come into force on 23rd November 1988.

Interpretation

2. In these Regulations—

“the Act” means the Abolition of Domestic Rates Etc (Scotland) Act 1987;

“the 1986 Act” means the Social Security Act 1986(d);

“appropriate social security office” means an office of the Department of Social Security which is normally open to the public for the receipt of claims for income support and includes an office of the Department of Employment which is normally open to the public for the receipt of claims for unemployment benefit;

“income support” shall be construed in accordance with Part II of the 1986 Act;

“partner” means—

(a) where a person is a member of a married or unmarried couple(e), the other member of that couple; or

(a) 1987 c.47; section 20B was inserted by the Local Government Finance Act 1988 (c.41), Schedule 12, paragraph 31; section 26(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made.

(b) Paragraph 11 was amended by the Local Government Finance Act 1988, Schedule 12, paragraph 38.

(c) S.I. 1988/1538.

(d) 1986 c.50.

(e) See the definitions of married and unmarried couple in section 20(11) of the 1986 Act.

(b) where a person is polygamously married to two or more members of his household, any such member to whom he is so married;
and any reference to a section of the Act includes a reference to that section as read with paragraph 11 of Schedule 5 to the Act and the Community Water Charges (Scotland) Regulations 1988.

Supply of relevant information to registration officers

3.—(1) For the purposes of section 20B of the Act (information concerning social security) it is prescribed that the Secretary of State may, notwithstanding any duty of confidentiality, supply relevant information (within the meaning of that section) to a registration officer.

(2) For the purposes of paragraph (c) of section 20B(2) of the Act (meaning of relevant information) there is prescribed information of the description set out in paragraphs (3) and (4) below.

(3) For the period from the coming into force of these Regulations until 31st March 1989 (both dates inclusive), the information is information as to the name, address and date of birth of any person, aged 18 or over, and any partner, aged 18 or over of that person where that person is in receipt of income support at any time within that period but is not receiving housing benefit under Part II of the 1986 Act on account of his liability to make payments in respect of a dwelling.

(4) For the period from 1st April 1989 to 31st March 1990 (both dates inclusive) the information is information as to the name, address and date of birth of any person, aged 18 or over, and any partner, aged 18 or over of that person, where that person is awarded income support but has not at the time of the award, made a claim for housing benefit in the form of a community charge rebate(a) at the appropriate social security office.

Signed by authority of the Secretary of State for Social Security.

Nicholas Scott
Minister of State,
Department of Social Security

31st October 1988

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations which are made under section 20B of the Abolition of Domestic Rates Etc (Scotland) Act (as inserted by the Local Government Finance Act 1988, Schedule 12, paragraph 31) prescribe—

- (a) that the Secretary of State may supply certain “relevant” information to registration officers; and
- (b) the description of that information obtained by him under his functions under the Social Security Act 1986.

(a) See section 20(7A) of the 1986 Act as inserted by regulation 3 of the Housing Benefit (Social Security Act 1986 Modifications) (Scotland) Regulations 1988 (S.I. 1988/1483).

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