

---

WELSH STATUTORY INSTRUMENTS

---

**2013 No. 3029**

**The Council Tax Reduction Schemes and  
Prescribed Requirements (Wales) Regulations 2013**

**PART 2**

**Council tax reduction schemes**

**Schemes**

**11.** An authority in Wales is a specified authority for the purposes of section 13A(4)(a) of the 1992 Act.

**Duty to make schemes and exercise of functions by authorities**

**12.**—(1) Each authority in Wales must make a scheme specifying the reductions which are to apply to the amounts of council tax payable by persons to whom the scheme applies in respect of dwellings situated in its area.

(2) The function of making a scheme required by these Regulations is not to be the responsibility of an executive of an authority under executive arrangements.

(3) Section 101 of the Local Government Act 1972<sup>(1)</sup> (arrangements for discharge of functions by local authorities) does not apply with respect to the discharge of the function mentioned in paragraph (1).

(4) In this regulation, references to “executive” (“*gweithrediaeth*”) and “executive arrangements” (“*trefniadau gweithredol*”) have the same meaning given by Part 2 of the Local Government Act 2000<sup>(2)</sup> or an instrument made under that Part of that Act.

**First financial year of schemes**

**13.** Each authority in Wales must make a scheme no later than the 31 January 2014, and the first financial year to which that scheme relates must be the year beginning 1 April 2014.

**Scheme requirements in relation to classes of persons**

**14.** A scheme must—

- (a) state the classes of persons who are to be entitled to a reduction;
- (b) include those classes of persons prescribed in regulations 22 to 25;
- (c) not include those classes of persons prescribed in regulations 28 to 31.

---

(1) 1972 c.70.

(2) 2000 c.22.

**Scheme requirements in relation to reductions**

15.—(1) A scheme must set out the reduction to which persons in each class are to be entitled.

(2) The classes of persons prescribed in regulations 22 and 23, are to be entitled under a scheme to the reductions prescribed in Part 3 of Schedule 1 (pensioners).

(3) The classes of persons prescribed in regulations 24 and 25, are to be entitled under a scheme to the reductions prescribed in Part 3 of Schedule 6 (persons who are not pensioners).

**Scheme procedural requirements**

16. A scheme must state—

- (a) the procedure by which a person may apply for a reduction under a scheme;
- (b) the procedure by which a person may appeal against a decision of an authority with respect to—
  - (i) a person's entitlement to a reduction under a scheme; or
  - (ii) the amount of any reduction to which the person is entitled.
- (c) the procedure by which a person may apply to an authority for a reduction under section 13A(1)(c) of the 1992 Act.

**Preparation of a scheme**

17.—(1) Before making a scheme an authority must—

- (a) publish a draft scheme in such manner as it thinks fit, and
  - (b) consult any persons it considers are likely to have an interest in the operation of its scheme.
- (2) Having made a scheme, the authority must publish that scheme in such manner as it thinks fit.

**Revisions to and replacement of schemes**

18.—(1) For each financial year, an authority must consider whether to revise its scheme or to replace it with another scheme.

(2) An authority must make any revision to its scheme, or any replacement scheme, no later than 31 January in the financial year preceding that for which the revision or replacement scheme is to have effect.

(3) If any revision to a scheme, or any replacement scheme, has the effect of reducing or removing a reduction to which any class of persons is entitled, the revision or replacement scheme must include such transitional provision relating to that reduction or removal as the authority thinks fit.

(4) Regulation 17 applies to an authority when revising a scheme as it applies to an authority when making a scheme.

(5) References in this Part to a scheme include a replacement scheme.

**Notice requiring provision of information to the Welsh Ministers**

19.—(1) The Welsh Ministers may serve a notice on an authority in Wales requiring it to supply to them such information as is specified in the notice and required by them for the purpose of exercising, or deciding whether to exercise, any function relating to schemes.

(2) The authority must supply the information required if it is in its possession or control, and must do so in such form and manner and at such time as specified in the notice.

(3) If an authority fails to comply with paragraph (2), the Welsh Ministers may exercise the function on the basis of such assumptions and estimates as they think fit.

(4) In exercising, or deciding whether to exercise, any function relating to schemes, the Welsh Ministers may also take into account any other available information, whatever its source and whether or not obtained under a provision contained in or made under these Regulations or any Act.

### **Supply of documents**

**20.** Subject to regulation 19, an authority may make a reasonable charge for the supply of copies of documents relating to its scheme.