
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 303

The Council Tax Reduction (Scotland) Regulations 2012

PART 13

Consequential and transitional provisions

Transitional provision

92.—(1) A person described in paragraph (2) is deemed to have made an application for council tax reduction on 1st April 2013.

(2) A person referred to in paragraph (1) is a person—

- (a) who is entitled to council tax benefit on 31st March 2013;
- (b) who made an application for council tax benefit which is not determined before 1st April 2013;
- (c) whose entitlement to council tax benefit is wholly or partly suspended immediately before 1st April 2013;
- (d) other than a person described in sub-paragraphs (a) or (c), who has appealed against a decision of the First-tier Tribunal, the Upper Tribunal or a court in relation to a claim for council tax benefit and whose appeal is pending immediately before 1st April 2013.

(3) For the purpose of paragraph (2)(d) an appeal against a decision relating to a claim for council tax benefit is pending if—

- (a) an appeal against the decision has been brought but not determined;
- (b) an application for permission to appeal against the decision has been made but not determined; or
- (c) the time within which—
 - (i) an application for permission to appeal may be made; or
 - (ii) an appeal against the decision may be brought,

has not expired and one of the circumstances prescribed in regulation 11(3) of the Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001 apply.

Savings provision

93. Schedule 6 has effect.

Consequential amendments

94. The amendments in Schedule 7 have effect.