

## SCOTTISH STATUTORY INSTRUMENTS

# 2013 No. 142

## The Welfare Reform (Consequential Amendments) (Scotland) (No. 3) Regulations 2013

PROSPECTIVE

### Council Tax Reduction (Scotland) Regulations 2012

- 11.**—(1) The Council Tax Reduction (Scotland) Regulations 2012<sup>(1)</sup> are amended as follows.
- (2) In regulation 2(1) (interpretation)—
- (a) after the definition of “appropriate maximum council tax reduction”, insert—
- ““armed forces independence payment” means armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011;”; and
- (b) in the definition of “the benefit Acts”, after “the 1992 Act,” insert “the Armed Forces (Pensions and Compensation) Act 2004<sup>(2)</sup> insofar as it relates to armed forces independence payment, Part 4 (personal independence payment) of the Welfare Reform Act 2012,”.
- (3) In regulation 28 (treatment of child care charges)—
- (a) after paragraph (11)(f)(iv), insert—
- “(iva) armed forces independence payment;”; and
- (b) in paragraph (14)(a), after “patient” insert “, or in respect of whom armed forces independence payment is payable”.
- (4) In regulation 67 (non-dependant deductions)—
- (a) after paragraph (6)(b)(ii), insert—
- “(iia) armed forces independence payment;”; and
- (b) in paragraph (9)(a), after “disability living allowance” insert “, armed forces independence payment”.
- (5) In regulation 81(8) (date on which a change in circumstances is to take effect), after “the 1992 Act” insert “, Part 4 of the Welfare Reform Act 2012 or article 24A of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011”.
- (6) In Schedule 1 (applicable amount)—
- (a) in paragraph 8(2) (disability premiums), after “the 1992 Act” insert “, armed forces independence payment”;
- (b) in paragraph 10(1)(a)(i) (additional condition for the disability premium), after “disability living allowance,” insert “armed forces independence payment;”;

<sup>(1)</sup> S.S.I. 2012/303; relevant amending instrument is S.S.I. 2013/48.

<sup>(2)</sup> 2004 c.32.

**Status:** This version of this provision is prospective.

**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](https://legislation.gov.uk) editorial team to *The Welfare Reform (Consequential Amendments) (Scotland) (No. 3) Regulations 2013*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (c) in paragraph 11 (severe disability premium), in each of sub-paragraphs (2)(a)(i), (2)(b)(i), (2)(b)(ii) and (4)(a), after “the 1992 Act” insert “, armed forces independence payment”;
  - (d) in paragraph 12 (enhanced disability premium), after sub-paragraph (1)(b) insert—
    - “(ba) armed forces independence payment is payable in respect of the applicant or a member of the applicant’s family who has not attained the qualifying age for state pension credit;”; and
  - (e) in paragraph 13 (disabled child premium), after paragraph (b) insert—
    - “(ba) is a young person who is in receipt of armed forces independence payment;”.
- (7) In Schedule 2, in paragraph 2(a) (disregards in determining a second adult’s gross income), after “disability living allowance” insert “, armed forces independence payment”.
- (8) In Schedule 4, in paragraph 10 (sums to be disregarded in the calculation of income other than earnings), after “disability living allowance” insert “, armed forces independence payment”.

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#### Commencement Information

**II** Reg. 11 in force at 11.6.2013, see [reg. 1](#)

**Status:**

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**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- reg. 11 coming into force by [S.S.I. 2013/142 reg. 1](#)
- reg. 11 revoked by [S.S.I. 2021/249 sch. 6](#)