

SCOTTISH STATUTORY INSTRUMENTS

2013 No. 142

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

PROSPECTIVE

Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012

12.—(1) The Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012⁽¹⁾ 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 insofar as it relates to armed forces independence payment, Part 4 (personal independence payment) of the Welfare Reform Act 2012,”.

(3) In regulation 27 (meaning of income), after paragraph (1)(j)(ii) insert—

“(ia) armed forces independence payment;”.

(4) In regulation 29 (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”.

(5) In regulation 48 (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”.

(6) In regulation 59(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”.

(7) In Schedule 1 (applicable amount)—

(a) in paragraph 6(2) (disability premiums), after “the 1992 Act” insert “, armed forces independence payment”;

⁽¹⁾ [S.S.I. 2012/319](#); relevant amending instrument is [S.S.I. 2013/49](#).

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the [legislation.gov.uk](https://www.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](#)

- (b) in paragraph 7 (severe disability premium), in each of sub-paragraphs (2)(a)(i), (2)(b)(i), (2)(b)(ii) and (6)(a), after “the 1992 Act” insert “, armed forces independence payment”;
- (c) in paragraph 8 (enhanced disability premium), after sub-paragraph (1)(a) insert—
 - “(aa) armed forces independence payment is payable in respect of a young person within the applicant’s family;”; and
- (d) in paragraph 9 (disabled child premium), after paragraph (b) insert—
 - “(ba) is a young person who is in receipt of armed forces independence payment;”.
- (8) In Schedule 2, in paragraph 5 (sum to be disregarded in the calculation of earnings), after sub-paragraph (1)(a)(iv) insert—
 - “(iva) armed forces independence payment;”.
- (9) In Schedule 4, in paragraph 21 (capital to be disregarded), after sub-paragraph (2)(d) insert—
 - “(da) armed forces independence payment;”.
- (10) In Schedule 5, in paragraph 2(a) (sums to be disregarded in determining a second adult’s gross income), after “disability living allowance” insert “, armed forces independence payment”.

Commencement Information

II Reg. 12 in force at 11.6.2013, see [reg. 1](#)

Status:

This version of this provision is prospective.

Changes to legislation:

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Changes and effects yet to be applied to :

- [reg. 12 coming into force by S.S.I. 2013/142 reg. 1](#)