

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2016 No. 81**

The Council Tax Reduction (Scotland)  
Amendment Regulations 2016

PROSPECTIVE

PART 3

Amendment of the Council Tax Reduction (State  
Pension Credit) (Scotland) Regulations 2012

**Uprating and miscellaneous amendments**

**25.** In Schedule 3 (sums to be disregarded in the calculation of income other than earnings), after paragraph 18 insert—

“**18A.**—(1) Any payment made in respect of a person who is a member of the applicant’s family—

- (a) in accordance with an adoption allowance scheme made under section 71 of the Adoption and Children (Scotland) Act 2007<sup>(1)</sup> (adoption allowances schemes) or pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002<sup>(2)</sup>;
- (b) which is a payment made by a local authority in pursuance of section 50 of the Children Act 1975<sup>(3)</sup> (payments towards maintenance of children) or section 15(1) of, and paragraph 15 of Schedule 1 to, the Children Act 1989<sup>(4)</sup> (local authority contribution to a child’s maintenance where the child is living with a person as a result of a residence order);
- (c) which is a payment made by an authority, as defined in article 2 of the Children (Northern Ireland) Order 1995<sup>(5)</sup>, in pursuance of article 15 of, and paragraph 17 of Schedule 1 to, that Order (contribution by an authority to child’s maintenance); or
- (d) in accordance with regulations made pursuant to section 14F of the Children Act 1989<sup>(6)</sup> (special guardianship support services).

---

(1) 2007 asp 4.

(2) 2002 c.38. Section 4 was amended by S.I. 2010/1158.

(3) 1975 c.72. Section 50 was amended by paragraph 26 of Schedule 4 to the Children (Scotland) Act 1995 (c.36) and section 71 of the Regulation of Care (Scotland) Act 2001 (asp 8).

(4) 1989 c.41. Section 15(1) was amended by paragraph 10 of Schedule 16 to the Courts and Legal Services Act 1990 (c.41). Paragraph 15 of Schedule 1 was amended by section 78 of the Civil Partnership Act 2004 (c.33).

(5) S.I. 1995/755.

(6) Section 14F was inserted by section 115 of the Adoption and Children Act 2002 (c.38).

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

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Council Tax Reduction (Scotland) Amendment Regulations 2016. 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

(2) Any payment, other than a payment to which sub-paragraph (1)(a) applies, made to the applicant pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002.

**18B.** Any payment made by a local authority in accordance with section 12 of the Social Work (Scotland) Act 1968(7) (general social welfare services of local authorities), section 22 of the Children (Scotland) Act 1995(8) (promotion of welfare of children in need) or section 17 of the Children Act 1989(9) (provision of services for children in need, their families and others).”.

#### Commencement Information

**II** Reg. 25 in force at 1.4.2016 in accordance with reg. 1(2)

- 
- (7) 1968 c.49. Section 12 was amended by section 66 of and paragraph 10 of Schedule 9 to the National Health Service and Community Care Act 1990 (c.19), paragraph 15 of Schedule 4 to the Children (Scotland) Act 1995 (c.36), section 120 of the Immigration and Asylum Act 1999 (c.33), and section 3 of the Community Care and Health (Scotland) Act 2002 (asp 5).
- (8) Section 22 was amended by paragraph 6 of Schedule 1 to the Tax Credits Act 1999 (c.10), paragraph 50 of Schedule 3 to the Tax Credits Act 2002 (c.21) and paragraph 14 of Schedule 3 to the Welfare Reform Act 2007 (c.5).
- (9) Section 17 was amended by paragraph 108 of Schedule 2 to the Social Security (Consequential Provisions) Act 1992 (c.6), section 7 of the Children (Leaving Care) Act 2000 (c.35), paragraph 16 of Schedule 3 to the Tax Credits Act 2002, section 116 of the Adoption and Children Act 2002 (c.38), section 53 of the Children Act 2004, paragraph 6 of Schedule 3 to the Welfare Reform Act 2007, and Schedule 1, paragraph 2 of Schedule 3 and Schedule 4 to the Children and Young Persons Act 2008 (c.23).

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Council Tax Reduction (Scotland) Amendment Regulations 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

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

- [reg. 25 coming into force by S.S.I. 2016/81 reg. 1\(2\)](#)