

1976 No. 1458

RATING AND VALUATION

The Rate Rebate (Amendment) Regulations 1976

Made - - - 6th September 1976

Laid before Parliament 9th September 1976

Coming into Operation—

Regulation 6 - - 30th September 1976

Remainder - - 15th November 1976

The Secretary of State for the Environment, in exercise of the powers conferred upon him by section 11(1) of the Local Government Act 1974^(a) and of all other powers enabling him in that behalf, with the consent of the Treasury, hereby makes the following regulations:—

1.—(1) These regulations may be cited as the Rate Rebate (Amendment) Regulations 1976.

(2) Regulation 6 shall come into operation on 30th September 1976 and the remaining regulations shall come into operation on 15th November 1976.

2.—(1) The Interpretation Act 1889^(b) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(2) In these regulations “the principal regulations” mean the Rate Rebate Regulations 1974^(c).

(3) References in these regulations to “the principal regulations” shall be construed as references to those regulations as amended^(d).

3. The provisions of regulations 4 and 5 below shall have effect in relation to any week in a rebate period being a week commencing after 14th November 1976.

^(a) 1974 c. 7.

^(b) 1889 c. 63.

^(c) S.I. 1974/411 (1974 I, p. 1294).

^(d) The relevant amending instrument is S.I. 1975/1450 (1975 III, p. 4849).

4. For regulation 7 of the principal regulations (which determines the needs allowance for a residential occupier and any spouse or dependent children of his for the purposes of calculating his entitlement to a rate rebate) there shall be substituted the following:—

“Needs Allowance

7.—(1) Subject to paragraph (2) below, the needs allowance for each week is—

(a) for an individual person who has no dependent children...	£23·05
(b) for a married couple	£32·75
(c) for an individual person who has a dependent child or children	£32·75
(d) for each dependent child or a residential occupier or spouse	£ 5·35

(2) The needs allowance for each week is—

(a) for an individual person who has no dependent children and who is registered in pursuance of arrangements made under section 29(1) of the National Assistance Act 1948(a) (welfare arrangements for handicapped persons)	£24·95
(b) for a married couple one of whom is so registered ...	£34·65
(c) for an individual who is so registered and who has a dependent child or children	£34·65
(d) for a married couple both of whom are so registered ...	£35·75”.

5. In regulation 12(1) of the principal regulations (which specifies deductions from a rebate in respect of non-dependents)—

- (a) in sub-paragraph (a) for the sum of “£0·35” there shall be substituted the sum of “£0·50”;
- (b) in sub-paragraph (b) for the sum of “£0·50” there shall be substituted the sum of “£0·75”;
- (c) in sub-paragraph (c) for the sum of “£0·20” there shall be substituted the sum of “£0·30”;
- (d) in sub-paragraph (d) for the sum of “£0·20” there shall be substituted the sum of “£0·30”;
- (e) in sub-paragraph (e) for the sum of “£0·20” there shall be substituted the sum of “£0·30”.

6. For regulation 19(4) of the principal regulations there shall be substituted the following—

“(4) A rating authority may determine in respect of any rebate period subsisting on 30th September 1976 which would otherwise end before 14th November 1976 that it shall continue to such date before 15th November 1976 as they shall determine.”.

Peter Shore,
Secretary of State
for the Environment.

1st September 1976.

We consent.

David Stoddart,

T. E. Graham,

Two of the Lords Commissioners
of Her Majesty's Treasury.

6th September 1976.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the statutory rate rebate scheme provided in the Rate Rebate Regulations 1974.

The amount of rebate to which a residential occupier may be entitled is calculated in part by reference to amounts allowed for his needs and the needs of his spouse and dependent children (the needs allowance) and in part by reference to amounts to be deducted for non-dependents. These Regulations provide for increases in the needs allowances and increases in the amounts to be deducted for non-dependents for any week in a rebate period beginning after 14th November 1976.

The Regulations also enable a rating authority to determine that any existing rate rebate period shall continue, upon grant being payable on the same basis as previously, to any date between 1st October 1976 and 14th November 1976 (inclusive).

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