

## 1976 No. 1470.

## HOUSING, ENGLAND AND WALES

**The Rent Rebate and Rent Allowance Schemes  
(England and Wales) Regulations 1976**

<i>Made - - - -</i>	<i>7th September 1976</i>
<i>Laid before Parliament</i>	<i>9th September 1976</i>
<i>Coming into Operation</i>	<i>30th September 1976</i>

The Secretary of State for the Environment as respects England and the Secretary of State for Wales as respects Wales, having referred their proposals to make regulations under section 20(2) of the Housing Finance Act 1972<sup>(a)</sup> to the Advisory Committee on Rent Rebates and Rent Allowances pursuant to section 20(3) of that Act, and with the consent of the Treasury, in exercise of the powers conferred on them by the said section 20(2), and of all other powers enabling them in that behalf, hereby make the following regulations:—

*Citation, commencement and interpretation*

1.—(1) These regulations may be cited as the Rent Rebate and Rent Allowance Schemes (England and Wales) Regulations 1976 and shall come into operation on 30th September 1976.

(2) The Interpretation Act 1889<sup>(b)</sup> shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(3) In these regulations—

“the Act” means the Housing Finance Act 1972;

“Schedule 3” means Schedule 3 to the Act, and

“Schedule 4” means Schedule 4 to the Act.

(4) In these regulations, unless the context otherwise requires, references to any enactment shall be construed as references thereto as varied by regulations made under that enactment itself and as amended, varied, extended or applied by or under any other enactment.

*Effective dates for variation of Schedules 3 and 4*

2.—(1) Subject to sub-paragraph (3) below, the variation of Schedule 3 made by these regulations shall take effect on 15th November 1976.

(2) Subject to sub-paragraph (3) below, the variation of Schedule 4 made by these regulations shall take effect on 30th September 1976.

(3) Nothing in sub-paragraph (1) or (2) above shall prejudice the making before 15th November 1976 of a scheme under Part II of the Act, being a scheme taking account of the variation of Schedules 3 and 4 made by these regulations.

---

(a) 1972 c. 47.

(b) 1889 c. 63.

*Variation of paragraph 8 of Schedule 3*

3. In relation to any week in a rebate period or allowance period, being a week commencing after 14th November 1976, Schedule 3 shall have effect with the substitution for paragraph 8 of the following paragraph—

“8.—(1) Subject to sub-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 of a tenant or his 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 (welfare arrangements for handicapped persons) . . . . . | £24.95   |
| (b) for a married couple one of whom is so registered . . .   | £34.65   |
| (c) for an individual person 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”. |

*Variation of paragraph 9 of Schedule 3*

4. In relation to any week in a rebate period or allowance period, being a week commencing after 14th November 1976, paragraph 9 of Schedule 3 shall be varied by adding at the end of sub-paragraph (2) the following—

“(m) where the tenant is a qualifying student, any amount by which his grant is increased on account of his maintaining a home at a place other than that at which he resides during his course.”.

*Variation of paragraph 12 of Schedule 3*

5. In relation to any week in a rebate period or allowance period, being a week commencing after 14th November 1976, paragraph 12 of Schedule 3 shall have effect with the substitution for sub-paragraphs (1) and (1A)(a) of the following sub-paragraphs—

“(1) The deductions from a rebate or allowance in respect of non-dependants are for each week—

- |  |       |
|--|-------|
| (a) for each person aged 18 years or more, but under 21 years and neither undergoing full-time instruction at an educational establishment (subject in the case of qualifying students to sub-paragraph (1A) below) nor in receipt of supplementary benefit . . . . .        | £1.50 |
| (b) for each person aged 21 years or more, but under pensionable age and neither undergoing full-time instruction at an educational establishment (subject in the case of qualifying students to sub-paragraph (1A) below) nor in receipt of supplementary benefit . . . . . | £2.25 |

(a) inserted by regulation 3(b) of the Rent Allowance Schemes (England and Wales) (No. 2) Regulations 1974 (S.I. 1974/1936 (1974 III, p. 6683)).

- (c) for each person in receipt of supplementary benefit.. £0.90
- (d) for each person of pensionable age not in receipt of supplementary benefit, except in the case mentioned in paragraph (e) below..... £0.90
- (e) for a married couple both of pensionable age and not in receipt of supplementary benefit..... £0.90
- (1A) In respect of non-dependants who are qualifying students, the deductions for each week for which (if they were tenants) they would be subject to deductions from rent for the purposes of section 25(2)(c) of this Act by virtue of section 25(3)(c) thereof are—
  - (a) for each person aged 18 years or more, but under 21 years and not in receipt of supplementary benefit.. £1.50
  - (b) for each person aged 21 years or more, but under pensionable age and not in receipt of supplementary benefit..... £2.25".

*Variation of paragraph 4 of Schedule 4*

6. Sub-paragraph (2)(b) of paragraph 4 of Schedule 4 shall be varied by substituting for the words "April 1975"(a) the words "March or April 1976" and by substituting for the word "eight"(a) the word "nine".

Signed by authority of the  
Secretary of State for the  
Environment.  
2nd September 1976.

*R. Freeson,*  
Minister for Housing and Construction,  
Department of the Environment.

Signed by authority of the  
Secretary of State for Wales.  
3rd September 1976.

*S. B. Jones,*  
Parliamentary Under Secretary of State,  
Welsh Office.

We consent.

*T. E. Graham,*  
*David Stoddart,*  
Two of the Lords Commissioners  
of Her Majesty's Treasury.

7th September 1976.

---

(a) the relevant passage was added by regulation 5(a) of the Rent Rebate and Rent Allowance Schemes (England and Wales) (No. 3) Regulations 1975 (S.I. 1975/1441 (1975 III, p. 4829)).

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations, which apply to England and Wales, further vary Schedules 3 and 4 to the Housing Finance Act 1972, with which, subject to the other provisions of that Act, every rent rebate scheme and every rent allowance scheme under Part II of that Act (which has been amended by the Furnished Lettings (Rent Allowances) Act 1973 (c. 6), the Rent Act 1974 (c. 51) and the Housing Rents and Subsidies Act 1975 (c. 6)) must conform.

The Regulations vary paragraphs 8 (Needs allowance) and 9 (Income of tenant and spouse) of Schedule 3 so as to increase the needs allowance and to add a further item to the items of income to be disregarded for the purposes of calculating the amount of any rebate or allowance. They also vary paragraph 12 of Schedule 3 so as to increase the deductions required to be made from a rebate or allowance in respect of certain non-dependants. These variations of Schedule 3 take effect on 15th November 1976.

Paragraph 4 of Schedule 4 is varied so as to allow authorities to extend current rebate and allowance periods for non-pensioners where they would otherwise terminate before 15th November 1976.

Paragraphs 8 and 9 of Schedule 3, and paragraph 4 of Schedule 4, were last varied by the Rent Rebate and Rent Allowance Schemes (England and Wales) (No. 3) Regulations 1975, and paragraph 12 of Schedule 3 by the Rent Rebate and Rent Allowance Schemes (England and Wales) (No. 2) Regulations 1975 (S.I. 1975/342 (1975 I, p. 1075)).

SI 1976/1470  
ISBN 0-11-061470-4

