

1978 No. 387

RATING AND VALUATION

The Rate Rebate (Amendment) Regulations 1978

<i>Made</i> - - - -	8th March 1978
<i>Laid before Parliament</i>	10th March 1978
<i>Coming into Operation</i>	1st April 1978

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. These regulations may be cited as the Rate Rebate (Amendment) Regulations 1978 and shall come into operation on 1st April 1978.

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” means the Rate Rebate Regulations 1974(c), as amended (d).

3. For regulation 14(2) of the principal regulations (which specifies the maximum rebate) there shall be substituted the following:—

“(2) For the purposes of these regulations the maximum rebate is—

- | | |
|--|----------------|
| (a) for a dwelling in the area of the Greater London Council | £4·50 |
| (b) for any other dwelling | £3·20”. |

4. For regulation 19 of the principal regulations (which provides for the determination of the rebate period there shall be substituted the following:—

“*Rebate Period*

19.—(1) Subject to paragraphs (2) and (3) below, where a rebate is first granted the rebate period shall begin on the first day of the month in which the application for a rebate was received but the rating authority may, if in their opinion the circumstances are exceptional—

- (a) allow the rebate period to begin on the first day of the month twelve months prior to the month in which the application was received, or

(a) 1974 c. 7.

(b) 1889 c. 63.

(c) S.I. 1974/411.

(d) The relevant amending instruments are S.I. 1975/327, 1450, 1977/1500

(b) allow the rebate period to begin on such later day before the beginning of the month in which the application was received, as they may determine.

(2) Subject to paragraph (3) below, where the rates chargeable on a hereditament in respect of a rate period are first demanded after the end of that period and an application is received within three months of such demand, the rebate period shall begin on the first day of the earliest rate period in respect of which the rates were so demanded.

(3) If a rebate period would, but for this provision, begin on a day on which the applicant was not eligible for a rebate the rebate period shall begin on the earliest day thereafter on which he is or became so eligible.

(4) A rebate period shall end, subject to regulations 20 and 21 below—

(a) if the residential occupier is of pensionable age, not later than twelve months after the date on which he was notified that his application for a rebate was granted; and

(b) if the residential occupier is not of pensionable age—

(i) where the date of notification falls during the month of March or April in any year, not later than nine months after that date; and

(ii) in any other case, not later than seven months after that date:

Provided that where, but for this provision, a rebate period would end before the latest date specified in relation thereto in paragraph (a) or (b) above, the rating authority may extend the period so as to end not later than the date so specified.

(5) Without prejudice to regulations 20 to 23 below, a residential occupier shall be entitled to and the rating authority shall grant rebate during that part of the rebate period extended by virtue of paragraph (4) above on the same basis as rebate was granted during the original rebate period.”.

7th March 1978.

We consent.

Peter Shore,
Secretary of State for
the Environment.

8th March 1978.

J. Dormand,
T. E. Graham,
Two of the Lords Commissioners
of Her Majesty's Treasury.

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 maximum rebate is increased from £3.00 to £4.50 in the GLC area and from £2.50 to £3.20 elsewhere. The regulations also substitute a new provision for regulation 19 of the Rate Rebate Regulations so as—

- (a) to allow a rebate period to begin on the first day of the month twelve months prior to the month in which the application is received, or on a later date, if, in the opinion of the rating authority, the circumstances are exceptional;
- (b) to provide that where a rate demand is not made until after the end of the period to which it relates, a rebate period is to commence on the first day of the earliest rate period for which the rates are demanded, and
- (c) to extend the maximum rebate period from seven months to nine months in the case of residential occupiers not of pensionable age to whom notification of the grant of a rebate falls during March or April in any year and to enable a rating authority who have allowed a rebate period shorter than the maximum in any case to extend the period up to the maximum applicable.

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