
STATUTORY INSTRUMENTS

1989 No. 2234

The Personal Community Charge (Exemption for the Severely Mentally Impaired) (Scotland) Regulations 1989

Severely Mentally Impaired

3. Sub-paragraph (2) of paragraph 4 of Schedule 1A to the Act(**(1)**) (conditions for the severely mentally impaired being exempt from liability for the personal community charge and the personal community water charge) shall be amended as follows:—

(a) condition (c) shall be deleted; and

(b) after condition (f), there shall be added the following conditions:—

“(g) he is entitled to an attendance allowance under section 35 of the Social Security Act 1975(**(2)**);

(h) he is entitled to an increase of the weekly rate of his disablement pension under section 61 of that Act (increase where constant attendance needed);

(i) he is entitled to a constant attendance allowance under—

(i) article 14 of the Personal Injuries (Civilians) Scheme 1983(**(3)**), or

(ii) article 14 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 1983(**(4)**) (including that provision as applied, with or without modifications, by any other instrument);

(j) he was, immediately before the coming into force of the Personal Community Charge (Exemption for the Severely Mentally Impaired) (Scotland) Regulations 1989, exempt from liability to pay the personal community charge and the personal community water charge under this paragraph. ”

(1) Sub-paragraph (2) was amended by S.I.1988/1541 (now revoked) and by regulation 4 of and Schedule 1 to S.I. 1989/63
(2) 1975 c. 14; section 35 was amended by the Social Security Act 1979 (c. 18), section 2, the Social Security Act 1980 (c. 30), Schedule 1, Part II, paragraph 8, and the Social Security Act 1988 (c. 7), section 1.
(3) S.I. 1983/686
(4) S.I. 1983/883