

CLA341 - The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2014

These Regulations amend the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 (“the principal Regulations”).

The amendments in regulations 5 and 16 amend the list of persons who do not need to show habitual residence, first, to update provision covering persons with leave to remain in the United Kingdom and, secondly, to include those nationals of Croatia who are subject to the worker authorisation scheme and who are treated as workers under that scheme.

The amendments in regulations 6(a), 7, 9(a), 10(a), (b) and (d) to (f), 17, 27 and 28(a), (b) and (d) to (f) increase certain of the figures which are used in calculating whether a person is entitled to a reduction, and the amount of that reduction.

The amendments made by regulations 8, 11, 31 and 32 provide that certain payments made by local government for welfare purposes, certain arrears of universal credit, and certain age-related payments are disregarded when assessing an applicant’s capital.

The amendments in regulations 3, 4, 6(b), 9(b), 10(c), 12, 14, 15, 18 to 26, 28(c), 29 and 30 correct errors that appeared in both the principal Regulations.

Procedure: Affirmative

Technical Scrutiny

The following points are identified for reporting under Standing Order 21.2 in respect of this instrument

Incorrect references to independent hospitals in Scotland appeared in the definition of ‘independent hospital’ in the principal Regulations. The purpose of regulations 3(a) and 11(a) of the present Regulations is to correct those errors. The English text is correct, and substitutes a reference to

‘independent hospital’ for ‘independent healthcare service’. Unfortunately, the Welsh text continues to refer to ‘gwasanaeth gofal iechyd annibynol’ (independent healthcare service).

[Standing Order 21.2(vii) – inconsistencies between the Welsh text and the English text]

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument

Legal Advisers

Constitutional and Legislative Affairs Committee

December 2013