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## SCHEDULES

### SCHEDULE 9

#### REBATES UNDER S. 49.

#### PART III

##### *Affording of rebates*

- 16 Where on any rebate application a rebate is granted in respect of any rebate period, then subject to paragraphs 24 and 25 of this Schedule, the rebate shall be afforded—
- (a) if the applicant is such a person as is mentioned in section 49(3)(a) or (b) of this Act who himself pays to the rating authority the rates chargeable in respect of the hereditament to which the application relates, in accordance with paragraphs 17 to 20 of this Schedule ;
  - (b) if
    - (i) the applicant is such a person as is mentioned in the said section 49(3)(a) or (b) but, by virtue of section 55 or 56 of this Act or of any other arrangements, the said rates are paid by or through the owner of the hereditament ; or
    - (ii) the applicant is such a person as is mentioned in section 49(3)(c) of this Act,in accordance with paragraphs 21 to 23 of this Schedule ;
- and in this Part of this Schedule the expression " relevant rates " means the amount of the rates which are, or are deemed under paragraph 8 of this Schedule to be, chargeable for that rebate period in respect of the hereditament or part of a hereditament to which the application relates.
- 17 If the rebate is granted before any of the relevant rates have been paid, the occupier shall be liable to pay only the amount by which the relevant rates exceed the amount of the rebate.
- 18 If the rebate is granted after all the relevant rates have been paid, the rating authority shall refund the amount of the rebate to the applicant.
- 19 If the rebate is granted after some but not all of the relevant rates have been paid, the rating authority may adjust the amount of any payment remaining to be made in respect of those rates so as to take account of the rebate or may afford the rebate in such other manner as appears to them convenient.
- 20 Notwithstanding anything in paragraphs 17 to 19 of this Schedule, where the amount of the rebate does not exceed £2 10s., the rating authority may pay the amount of the rebate to the applicant at the end of the rebate period or afford the rebate in such other manner and at such time, being a time before, or as early as reasonably practicable after, the end of the rebate period, as appears to them convenient.

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- 21 Where in a case falling within paragraph 16(b)(i) of this Schedule the owner is a local authority, then, subject to paragraph 23 of this Schedule—
- (a) if that authority are not the rating authority, the rating authority shall pay the amount of the rebate to the owner authority in such manner as may be agreed between them and the owner authority shall afford the amount of the rebate in accordance with sub-paragraph (b) of this paragraph in like manner as if they were the rating authority;
  - (b) if the owner authority are also the rating authority, they may adjust the amount of the periodical payments to the authority as owner to take account of the rebate or afford the rebate by way of refund of any such payments already made, as appears to them convenient.
- 22 In any other case falling within paragraph 16(b) of this Schedule, the rating authority shall, subject to paragraph 23 of this Schedule, pay the amount of the rebate to the applicant at the end of the rebate period or so soon thereafter as the rebate is granted.
- 23 If at the time when a payment of rebate falls to be made under paragraph 21 or 22 of this Schedule the rating authority have reasonable grounds for believing—
- (a) in a case falling within paragraph 16(b)(1) of this Schedule, that an amount equal to the relevant rates has not been paid to the owner of the hereditament; or
  - (b) in a case falling within paragraph 16(b)(ii) of this Schedule, that an amount equal to the applicant's reckonable rates has not been paid to the occupier of the hereditament in respect of part of which the application is made,
- the rating authority may withhold payment of the whole or such part as they think fit of the amount of the rebate, but may, if they think fit, pay any amount so withheld at any subsequent time when they are satisfied that the appropriate amount has been paid as aforesaid.
- 24 Where the amount of the relevant rates recoverable is for the time being reduced under section 8(1) of this Act, the rating authority may withhold a proportionate part of the amount of the rebate.
- 25 Where the rating authority are for the time being affording the applicant any relief from the relevant rates under section 53 of this Act or section 2 of the Rating (Interim Relief) Act 1964, they shall afford the rebate only if, and to the extent that, the amount thereof exceeds the aggregate amount afforded the applicant by way of such relief as aforesaid in that rebate period.