

1989 No. 476 (S.58)

COMMUNITY CHARGES, SCOTLAND
SOCIAL SECURITY
WATER SUPPLY, SCOTLAND

Community Charges (Information Concerning Social Security) (Scotland) Regulations 1989

<i>Made</i> - - - -	<i>14th March 1989</i>
<i>Laid before Parliament</i>	<i>17th March 1989</i>
<i>Coming into force</i>	<i>1st April 1990</i>

The Secretary of State for Social Security, in exercise of the powers conferred by sections 20B(1) and (2)(c), 26(1) and 31(3) of the Abolition of Domestic Rates Etc (Scotland) Act 1987(a) and those sections as read with paragraph 11 of Schedule 5 to that Act (b) and with the Community Water Charges (Scotland) Regulations 1988(c) made thereunder, and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Community Charges (Information Concerning Social Security) (Scotland) Regulations 1989 and shall come into force on 1st April 1990.

Interpretation

2. In these Regulations—

“the Act” means the Abolition of Domestic Rates Etc (Scotland) Act 1987;

“the 1986 Act” means the Social Security Act 1986(d);

“appropriate social security office” means an office of the Department of Social Security which is normally open to the public for the receipt of claims for income support and includes an office of the Department of Employment which is normally open to the public for the receipt of claims for unemployment benefit;

“community charge benefits” means benefits to which section 20(1)(d) of the 1986 Act(e) refers;

“income support” shall be construed in accordance with Part II of the 1986 Act;

“partner” means—

(a) 1987 c.47; section 20B was inserted by the Local Government Finance Act 1988 (c.41), Schedule 12, paragraph 31; section 26(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made.

(b) Paragraph 11 was amended by the Local Government Finance Act 1988, Schedule 12, paragraph 38.

(c) S.I. 1988/1538.

(d) 1986 c.50, as amended by the Local Government Finance Act 1988 (c.41), Schedule 10.

(e) Section 20(1)(d) of the 1986 Act was inserted by the Local Government Finance Act 1988, Schedule 10, paragraph 2(2).

- (a) where a person is a member of a married or unmarried couple (a), the other member of that couple; or
- (b) where a person is polygamously married to two or more members of his household, any such member to whom he is so married;

“registration officer” means a Community Charges Registration Officer within the meaning of section 12 of the Act;

and any reference to a section of the Act includes a reference to that section as read with paragraph 11 of Schedule 5 to the Act and the Community Water Charges (Scotland) Regulations 1988.

Supply of relevant information to registration officers

3.—(1) For the purposes of section 20B of the Act (information concerning social security) it is prescribed that the Secretary of State may, notwithstanding any duty of confidentiality, supply relevant information (within the meaning of that section) to a registration officer.

(2) For the purposes of paragraph (c) of section 20B(2) of the Act (meaning of relevant information) there is prescribed information of the description set out in paragraph (3).

(3) The information to which paragraph (2) refers is information as to the name, address and date of birth of any person aged 18 or over and any partner aged 18 or over of that person, where that person is awarded income support but has not at the time of the award made a claim at the appropriate social security office—

- (a) for community charge benefits, or
- (b) where the claim for income support is made prior to 1st April 1990, for housing benefit in the form of a community charge rebate(b).

Signed by authority of the Secretary of State for Social Security.

14th March 1989

Nicholas Scott
Minister of State,
Department of Social Security

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations which are made under section 20B of the Abolition of Domestic Rates Etc (Scotland) Act (as inserted by the Local Government Finance Act 1988, Schedule 12, paragraph 31) prescribe—

- (a) that the Secretary of State may supply certain “relevant” information to registration officers; and
- (b) the description of that information obtained by him under his functions under the Social Security Act 1986.

They replace the Community Charges (Information Concerning Social Security) (Scotland) Regulations 1988 (S.I. 1988/1889 (S.177)), which have effect for the period from 23rd November 1988 to 31st March 1990.

(a) See the definitions of married and unmarried couple in section 20(11) of the 1986 Act.

(b) See section 28(1)(aa) of the 1986 Act as modified by the Housing Benefit (Social Security Act 1986 Modifications) (Scotland) Regulations 1988 (S.I. 1988/1483) (s.145).

45p net

ISBN 0 11 096476 4

Printed in the United Kingdom for Her Majesty's Stationery Office

880/WO 0540 C35 3/89 452/1 9385/5797/5018 46341