

**The Council Tax (Additional Provisions for Discount Disregards)
(Amendment) (Wales) Regulations 2013**

Explanatory Memorandum

This Explanatory Memorandum has been prepared by the Department for Local Government and Communities and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the above listed Regulations. I am satisfied the benefits outweigh any costs.

Lesley Griffiths

Minister for Local Government and Government Business

18 March 2013

1. Description

These regulations amend the Council Tax (Additional Provisions for Discount Disregards) Regulations 1992 to be amended to include PIP Enhanced and Standard Components in the list of benefits that an individual must be receiving if their carer is to be disregarded for the purposes of Council Tax discounts. They also extend the level of attendance Allowance to be taken into account.

2. Matters of special interest to the Constitutional Affairs Committee

None

3. Legislative Background

The powers to make the necessary amendments to the Council Tax (Additional Provisions for Discount Disregards) Regulations 1992 are contained within paragraphs 2 and 11 of Schedule 1 to, the Local Government Finance Act 1992

The Regulations follow the negative resolution procedure.

4. Purpose and intended effect of the legislation

These Regulations amend the Council Tax (Additional Provisions for Discount Disregards) Regulations so that the liability for council tax is reduced where a care worker resides with an individual who is in receipt of the Standard or Enhanced rates of the Daily Living Component of Personal Independence Payments (PIP). PIP replaces the Disability Living Allowance for 16 to 64 year olds from the 8 April as a result of the Welfare Reform Act 2012. The change will be implemented in a limited area in England and then rolled out across the UK in June. This amendment ensures that Council Tax bills will continue to be adjusted when individuals are moved from DLA to PIP.

The regulation also extends the application of the reduction of council tax liability where a carer is residing with an individual in receipt of Attendance Allowance at any rate.

5. Consultation

No consultation has been undertaken in respect of this statutory instrument.

6. Regulatory Impact Assessment (RIA)

No RIA has been prepared for this statutory instrument as it is considered that the instrument only facilitates technical and routine amendments. It has no major policy impact.

