

The Council Tax (Discount Disregards) (Amendment) (Wales) Order 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 (Discount Disregards) Order 1992 to include the Daily Living Component of Personal Independence Payment Enhanced and Standard levels in the list of benefits that a severely mentally impaired person must be in receipt of in order for the discount disregards to be applied to the Council Tax bill of the liable person.

The second amendment concerns those persons whose award of Universal Credit includes an amount in respect of the fact that the person has limited capability for work or limited capability for work and work related activity.

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

This Order will ensure that the amount of Council Tax payable will be reduced where a person is classed as severely mentally impaired and is in receipt of the Daily Living Component of Personal Independence Payments (Enhanced and Standard levels). Personal Independence Payments will replace Disability Living Allowances for persons aged 16 to 64 as from the 8 April. The revised scheme will be rolled out in a limited area of England and implemented on a UK basis from June. As receipt of the Disability Living Allowance is one of the qualifying criteria at the moment for a reduction in Council Tax this amendment ensures that this support continues.

The second amendment also reflects changes to the welfare system and ensures that Council Tax liability will be reduced where a person has limited capacity for work or limited capability for work or work related activity. For these conditions to apply then an amount will be payable to an individual as part of their Universal Credit.

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.