
DRAFT STATUTORY INSTRUMENTS

2013 No.

**The Local Authorities (Contracting Out of
Tax Billing, Collection and Enforcement
Functions) (Amendment) (England) Order 2013**

Amendment of the Local Authorities (Contracting Out of Tax Billing, Collection and Enforcement Functions) Order 1996

2.—(1) The Local Authorities (Contracting Out of Tax Billing, Collection and Enforcement Functions) Order 1996(1) is amended as follows.

(2) In article 2(1) (interpretation)—

(a) after the definition of “authority” insert—

““council tax reduction scheme” means a scheme made under section 13A(2) of the Act;

“Default Scheme” means the scheme prescribed by the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012(2);

“the Detection of Fraud Regulations” means the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013(3);”.

(3) In article 3 (functions of local authorities) for “and the Regulations” substitute “, the Regulations, a council tax reduction scheme, the Default Scheme and the Detection of Fraud Regulations”.

(4) In article 12 (ascertaining entitlement to discounts)—

(a) in the heading after “discounts” add “and liability to premiums”

(b) for sub-paragraph (a) substitute—

“(a) take such steps as the contractor considers reasonable to ascertain whether that amount is subject to any discount or premium and, if so, the amount of that discount or premium;”;

(c) in sub-paragraphs (b) and (c) after “subject to a discount” insert “or premium” in each place where the words occur.

(5) After article 13 (ascertaining entitlement to reduced amounts) insert—

“Notification of decision on council tax reduction

13A. An authority may authorise a contractor to exercise the function of giving notification of a decision under—

(a) its council tax reduction scheme(4);

(1) [S.I. 1996/1880](#). There are no relevant amendments.

(2) [S.I. 2012/2886](#).

(3) [S.I. 2013/XXXX](#).

(4) See paragraph 12 of Part 3 of Schedule 8 to the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 ([S.I. 2012/2885](#)) as to matters which must be included in an authority’s council tax reduction scheme.

- (b) paragraph 117 of the Default Scheme.

Payment of a reduction

13B. An authority may authorise a contractor to exercise the function of determining whether a payment should be made and the function of making a payment under—

- (a) its council tax reduction scheme⁽⁵⁾;
 - (b) paragraph 118 of the Default Scheme.”.
- (6) In article 19 (collection of penalties)—
- (a) in paragraph (1) after “(Penalties)” insert “or under any of regulations 11 to 13 of the Detection of Fraud Regulations”;
 - (b) in paragraph (2) after “the Act” insert “or under regulation 12 or 13 of the Detection of Fraud Regulations”.

(5) See paragraph 14 of Part 4 of Schedule 8 to the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012.