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## SCHEDULES

### SCHEDULE 2 **E+W+S**

#### ADMINISTRATION

##### *Supply of information to authorities*

- 11 (1) Regulations under this Schedule may include provision that any person mentioned in sub-paragraph (2) below shall supply to a billing authority such information as fulfils the following conditions—
- (a) it is in the possession or control of the person concerned;
  - (b) the authority requests the person concerned to supply it;
  - (c) it is requested by the authority for the purpose of carrying out its functions under Part I of this Act; and
  - (d) it does not fall within any prescribed description of information which need not be supplied.
- (2) The persons referred to in sub-paragraph (1) above are—
- (a) any other authority;
  - (b) any precepting authority;
  - (c) the electoral registration officer for any area in Great Britain; and
  - (d) any community charges registration officer.
- (3) The regulations may include provision that the information is to be supplied in a prescribed form and within a prescribed period of the request being made.
- (4) In this paragraph and paragraph 12 below references to any community charges registration officer shall be construed—
- (a) in relation to such officers in England or Wales, in accordance with section 26 of the 1988 Act; and
  - (b) in relation to such officers in Scotland, in accordance with section 12 of the 1987 Act.
- 12 (1) Regulations under this Schedule may include provision that any person mentioned in sub-paragraph (2) below shall supply to a <sup>[F1]</sup>local authority such information as fulfils the following conditions—
- (a) it is in the possession or control of the person concerned;
  - (b) the authority request the person concerned to supply it;
  - (c) it is requested by the authority for the purpose of carrying out their functions under Part II of this Act; and
  - (d) it does not fall within any prescribed description of information which need not be supplied.
- (2) The persons referred to in sub-paragraph (1) above are—
- (a) any other authority;
  - <sup>[F2]</sup>(b) any district council;

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- (c) the electoral registration officer for any area in Great Britain;
  - (d) any community charges registration officer;
  - (e) the local assessor for the [<sup>F3</sup>levying] authority's area; and
  - (f) any housing body operating in the [<sup>F3</sup>levying] authority's area.
- (3) The regulations may include provision that the information is to be supplied in a prescribed form and within a prescribed period of the request being made.

#### Textual Amendments

- F1** Word in **Sch. 2 para. 12(1)** substituted (S.) (16.2.1996 subject to art. 2(2) of the commencing S.I.) by 1994 c. 39, s. 180(1), **Sch. 13 para. 176(16)(b)** (with s. 128(8)); S.I. 1996/323, **art. 2(1)(b)(c)**
- F2** **Sch. 2 para. 12(2)(b)** repealed (S.) (16.2.1996 subject to art. 2(2) of the commencing S.I.) by 1994 c. 39, s. 180(2), **Sch. 14** (with s. 128(8)); S.I. 1996/323, **art. 2(1)(b)(d)(iv)**
- F3** Words in **Sch. 2 para. 12(2)(e)(f)** repealed (S.) (16.2.1996 subject to art. 2(2) of the commencing S.I.) by 1994 c. 39, s. 180(2), **Sch. 14**. (with s. 128(8)); S.I. 1996/323, **art. 2(1)(b)(d)(iv)**

- 13 (1) Regulations under this Schedule may include provision that—
- (a) a registrar of births and deaths in England and Wales shall supply to any appropriate billing authority which is prescribed such particulars of such deaths as may be prescribed;
  - (b) the Registrar General for England and Wales shall supply to any billing authority which is prescribed such particulars of such deaths as may be prescribed.
- (2) Regulations under this Schedule may include provision that—
- (a) a district registrar in Scotland shall supply to any appropriate [<sup>F4</sup>local] authority which is prescribed such particulars of such deaths as may be prescribed;
  - (b) the Registrar General for Scotland shall supply to any [<sup>F4</sup>local] authority which is prescribed such particulars of such deaths as may be prescribed.
- (3) The regulations may include provision as to the times at which and the manner in which the particulars are to be supplied.
- (4) For the purposes of this paragraph—
- (a) an appropriate billing authority, in relation to a registrar of births and deaths, is a billing authority whose area includes all or part of, or falls within, the registrar's sub-district;
  - (b) an appropriate [<sup>F4</sup>local] authority, in relation to a district registrar, is a [<sup>F4</sup>local] authority whose area includes all or part of, or falls within, the registrar's registration district.

#### Textual Amendments

- F4** Word in each place it occurs in **Sch. 2 para. 13** substituted (S.) (16.2.1996 subject to art. 2(2) of the commencing S.I.) by 1994 c. 39, s. 180(1), **Sch. 13 para. 176(16)(c)** (with s. 128(8)); S.I. 1996/323, **art. 2(1)(b)(c)**

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- 14 (1) Where regulations under this Schedule impose a duty on a billing authority to supply information to any person, they may also require—
- (a) the Secretary of State;
  - (b) any appropriate precepting authority; or
  - (c) any appropriate levying body,
- to supply the billing authority with prescribed information if the Secretary of State considers it to be information the billing authority needs in order to fulfil its duty.
- (2) Where regulations under this Schedule contain provision about the contents or form of a notice to be served by a billing authority, they may also require the Secretary of State or any appropriate precepting authority to supply the billing authority with prescribed information if the Secretary of State considers it to be information the billing authority needs to ensure that the provision is met.
- (3) Where any person other than the Secretary of State fails to supply information to a billing authority in accordance with regulations made by virtue of sub-paragraph (1) or (2) above, he shall be liable to indemnify the authority against any loss or damage which the authority sustains in consequence of the failure.
- (4) For the purposes of sub-paragraph (1) or (2) above an authority is an appropriate precepting authority in relation to a billing authority if it has power to issue a precept to the billing authority.
- (5) For the purposes of sub-paragraph (1) above a body is an appropriate levying body in relation to a billing authority if—
- (a) it has power to issue a levy or special levy to the billing authority; or
  - (b) it has power to issue a levy to a county council which has power to issue a precept to the billing authority.
- 15 (1) Regulations under this Schedule may include provision that no duty of confidentiality shall prevent the Secretary of State from disclosing relevant information to an authority.
- (2) For the purposes of this paragraph information is relevant information if—
- (a) it was obtained by the Secretary of State in exercising his functions under the Social Security Acts;
  - (b) the Secretary of State believes it would be useful to the authority in exercising its functions under Part I or II of this Act; and
  - (c) it falls within a prescribed description.

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