

Status: Point in time view as at 06/03/1992.

Changes to legislation: Local Government Finance Act 1992, Paragraph 9 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 2

ADMINISTRATION

Exempt dwellings etc.

- 9 (1) Regulations under this Schedule may include provision that, as regards each financial year, an authority shall take reasonable steps to ascertain whether any dwellings will be or were exempt dwellings for any period during the year.
- (2) The regulations may include provision that—
- (a) where (having taken such steps) the authority has no reason to believe that a particular dwelling will be or was an exempt dwelling for any period during the year, it shall assume, for the purposes of regulations under this Schedule, that the dwelling will be or was a chargeable dwelling for that period; and
 - (b) where (having taken such steps) the authority has reason to believe that a particular dwelling will be or was an exempt dwelling for any period during the year, it shall assume, for those purposes, that the dwelling will be or was an exempt dwelling for that period.
- (3) The regulations may include provision—
- (a) that the authority must inform the relevant person of that assumption;
 - (b) prescribing additional information which the authority must give to that person;
 - (c) as to the period within which or time at which any information must be given.
- (4) The regulations may include provision that where—
- (a) in accordance with any provision included under sub-paragraph (3) above the authority informs the relevant person that it has assumed that the dwelling will be or was an exempt dwelling for a particular period during the year; and
 - (b) at any time before the end of the following financial year, the person has reason to believe that in fact the dwelling will not be or was not an exempt dwelling for that period, or will be or was an exempt dwelling for a shorter period,
- the person shall, within such period as may be prescribed, notify the authority of his belief.
- (5) Regulations under this Schedule may include provision—
- (a) that any person appearing to an authority to be a resident, owner or managing agent of a particular dwelling shall supply to the authority such information as fulfils the following conditions—
 - (i) it is in the possession or control of the person concerned;
 - (ii) the authority requests the person concerned to supply it; and

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- (iii) it is requested by the authority for the purpose of identifying the person who, in respect of any period specified in the request, is or will be the relevant person in relation to the dwelling;
 - (b) that the information is to be supplied within a prescribed period of the request being made and, if the authority so requires, in a form specified in the request; and
 - (c) that a request may be served on the person concerned either by name or by such description as may be prescribed.
- (6) In this paragraph any reference to the relevant person is a reference to a person who, in respect of the particular dwelling—
- (a) is or will be solely liable to pay to the authority an amount in respect of council tax for the period to which the assumption relates; or
 - (b) would be so liable if the dwelling were not or had not been an exempt dwelling for that period.

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