

Status: Point in time view as at 06/03/1992.

Changes to legislation: Local Government Finance Act 1992, Cross Heading: Liability orders 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 4

ENFORCEMENT: ENGLAND AND WALES

Liability orders

- 3 (1) Regulations under paragraph 1(1) above may provide that—
- (a) the authority concerned may apply to a magistrates’ court for an order (a “liability order”) against the person by whom the sum is payable;
 - (b) the magistrates’ court shall make the order if it is satisfied that the sum has become payable by the person concerned and has not been paid.
- (2) The regulations may include provision that the order shall be made in respect of an amount equal to the aggregate of—
- (a) the sum payable; and
 - (b) a sum (of a prescribed amount or an amount determined in accordance with prescribed rules) in respect of the costs incurred in obtaining the order.
- (3) The regulations may include provision that, where the sum payable is paid after the order has been applied for but before it is made, the magistrates’ court shall nonetheless make the order in respect of a sum (of a prescribed amount or an amount determined in accordance with prescribed rules) in respect of the costs incurred in applying for it.
- (4) The regulations may include—
- (a) provision prescribing steps to be taken before an application may be made;
 - (b) provision that no application may be made after a prescribed period has expired;
 - (c) provision prescribing the procedure to be followed for the initiation of an application (which may include provision as to form);
 - (d) provision prescribing the procedure to be followed in dealing with an application;
 - (e) provision prescribing the form and contents of an order.

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