
STATUTORY INSTRUMENTS

1989 No. 438

**The Community Charges (Administration
and Enforcement) Regulations 1989**

PART IV

ENFORCEMENT

Charging orders

44.—(1) An application to the appropriate court may be made under this regulation where—

- (a) a magistrates' court has made a liability order,
- (b) the amount mentioned in regulation 29(6)(a) in respect of which the liability order was made is an amount the debtor is liable to pay under Part III in relation to a collective community charge, and
- (c) at the time that the application under this regulation is made at least £1000 of the amount in respect of which the liability order was made remains outstanding.

(2) The application which may be made to the appropriate court under this regulation is an application by the authority concerned for an order imposing, on any interest held by the debtor beneficially in the relevant designated dwelling, a charge for securing the due amount; and the court may make such an order on such application.

(3) For the purposes of paragraph (2)—

- (a) the authority concerned is the authority which applied for the liability order referred to in paragraph (1)(a),
- (b) the relevant designated dwelling is the designated dwelling to which the community charge mentioned in paragraph (1)(b) relates,
- (c) the due amount is the aggregate of—
 - (i) an amount equal to any outstanding sum which is or forms part of the amount in respect of which the liability order was made, and
 - (ii) a sum of an amount equal to the costs reasonably incurred by the applicant in obtaining the charging order,
- (d) the appropriate court is the county court for the area in which the relevant designated dwelling is situated.