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STATUTORY INSTRUMENTS

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**1989 No. 438**

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

**PART VI**

**MISCELLANEOUS**

**Co-owners**

**59.**—(1) This regulation applies in any case where (apart from this regulation) co-owners would be subject under the Act to different standard or collective community charges by virtue of the same property.

(2) Where this regulation applies—

- (a) as regards the period for which the co-ownership subsists there shall be one charge only to which the co-owners are jointly subject, and with respect to which the registration officer for the charging authority concerned shall enter an item in the register compiled and maintained by him accordingly;
- (b) the amount for which the co-owners are liable in respect of any such charge which is a standard community charge as it has effect for a chargeable financial year is to be calculated in accordance with section 14 of the Act (including any regulations made under section 14(7));
- (c) the amount for which the co-owners are liable in respect of any such charge which is a collective community charge as it has effect for a chargeable year is to be calculated in accordance with section 15 of the Act;
- (d) the co-owners shall be jointly and severally liable for the amount calculated in accordance with sub-paragraph (b) or (c); and
- (e) section 16 or 17 of the Act shall have effect to make a spouse or manager of any of the co-owners jointly and severally liable also.

(3) There shall be different charges as regards each of the following—

- (a) the period for which the co-ownership subsists (that is, for which the co-owners concerned are co-owners);
- (b) any period for which one only of the co-owners has an interest in the building, part of a building or dwelling concerned, or is the owner of the caravan concerned; and
- (c) any period for which there is a co-ownership as regards the property concerned but the participants of it do not correspond with those of the co-ownership mentioned in sub-paragraph (a) (whether because the number of members differs or because any of the personnel differs).

(4) Section 11(4) of the Act shall apply where different charges arise because of the operation of paragraph (3).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(5) If the other requirements mentioned in Class D or I (as the case may be) in regulation 62 are met, property shall be treated as falling in the class in question if the last of the co-owners subject to the charge concerned to have occupied the property on or before the day on which it was last occupied (construing those expressions in accordance with regulation 62(4) and (5)) satisfies the conditions described in sub-paragraphs (a) and (b) of the specification of class D.

(6) References to co-owners in this regulation include references to persons who together have an interest under a lease or underlease, and references to co-ownership shall be construed accordingly.