
STATUTORY INSTRUMENTS

1991 No. 842

**COMMUNITY CHARGES, ENGLAND
AND WALES
RATING AND
VALUATION LOCAL GOVERNMENT,
ENGLAND AND WALES**

**The Community Charges and Non-Domestic Rating
(Demand Notices) (England) (Amendment) Regulations 1991**

<i>Made</i>	- - - -	<i>28th March 1991</i>
<i>Laid before Parliament</i>		<i>28th March 1991</i>
<i>Coming into force</i>	- -	<i>29th March 1991</i>

The Secretary of State, in exercise of the powers conferred on him by sections 143(1) and (2) and 146(6) of, and paragraphs 1, 2(2)(l) to (m), 3 and 21(a) of Schedule 2, paragraph 6 of Schedule 3, and paragraph 2(2)(h) of Schedule 9 to, the Local Government Finance Act 1988(1), section 1(6) of the Community Charges (General Reduction) Act 1991(2) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Community Charges and Non-Domestic Rating (Demand Notices) (England) (Amendment) Regulations 1991 and shall come into force on 29th March 1991.

(2) In these Regulations—

“Form A”, “Form B”, “Form C” and “Form D” mean the forms by those names specified in Part I of Schedule 1 to the 1991 Regulations;

“the 1991 Regulations” means the Community Charges and Non-Domestic Rating (Demand Notices) (England) Regulations 1991(3);

and expressions used in these Regulations which are also used in the 1991 Regulations have the same meaning as in those Regulations.

(1) 1988 c. 41; relevant amendments were made by the Local Government and Housing Act 1989 (c. 42), Schedule 5, paragraphs 11 and 44 and by S.I. 1989/438, regulation 60, as amended by S.I. 1989/2274, regulation 8.
(2) 1991 c. 9.
(3) S.I. 1991/148.

Application of the Regulations

2. Subject to the provisions of section 1(5) of the Community Charges (General Reduction) Act 1991, these Regulations do not affect the validity of a community charge demand notice or adjustment notice issued before the coming into force of these Regulations.

Amendment of the 1991 Regulations

3.—(1) The 1991 Regulations have effect with the amendments specified in the following paragraphs of this regulation.

(2) In regulation 1(2)—

(a) after the definition of “the Act”, there is inserted the following—

““adjustment notice” means a notice (other than a notice which would require payment of an amount of £0)—

(a) which is given under regulation 26(2) of, or paragraph 7(2) of Schedule 1 or paragraph 4(2) of Schedule 2 to, the Community Charges (Administration and Enforcement) Regulations 1989 by an English charging authority to a person in respect of his liability to pay an amount under a community charge demand notice; and

(b) which is so given either—

(i) solely in consequence of the substitution for the amount set by the authority for its personal community charges for the whole or any part of its area of an amount which has been reduced by virtue of the Community Charges (General Reduction) Act 1991, or

(ii) solely in consequence of that substitution and an alteration of the amount described in paragraph 11 of Part II of Schedule 1,

and a notice is given solely in consequence of the matters referred to in subparagraph (b) notwithstanding that a consequential adjustment falls to be made to the amount described in paragraph 12 or 13 of Part II of Schedule 1;”⁽⁴⁾

(b) in the definition of “the relevant charge” there are inserted after the words “section 13A of the Act” a comma and the words “and which has been reduced by virtue of the Community Charges (General Reduction) Act 1991”.

(3) In regulation 2, for the words “a financial year beginning on or after 1st April 1991” there are substituted the words “the financial year beginning on 1st April 1991”.

(4) In regulation 3(1), for the words “Subject to paragraph (2), a community charge demand notice shall” there are substituted the words “A community charge demand notice or an adjustment notice shall”.

(5) In regulation 3, paragraphs (2), (3) and (7) and in paragraph (6) the words “Subject to paragraph (7)” are omitted.

(6) In regulation 3, after paragraph (6), there is inserted the following paragraph—

“(6A) Nothing in this regulation requires a notice to be given on a single sheet of paper, but if more than one sheet is used, the sheets shall be issued together, whether or not attached, so as to comprise one notice.”.

(7) In regulation 4(1)(a), after the words “a community charge demand notice” there are inserted the words “or an adjustment notice”.

(8) In Forms A, B, C and D—

(4) S.I. 1989/438; relevant amendments were made by S.I. 1989/2274, 1990/402 and 711 and 1991/140.

- (a) before the heading “COMMUNITY CHARGE BILL 19[]” there is inserted the following—
- “THIS COMMUNITY CHARGE DEMAND TAKES ACCOUNT OF THE PROVISIONS OF THE COMMUNITY CHARGES (GENERAL REDUCTION) ACT 1991.”;
- (b) after the words “The community charge if local authorities provided a standard level of service” there are inserted the words “taking account of the general reduction of £140”.
- (9) In Form A (and accordingly in Forms B, C and D), in the explanatory notes—
- (a) in the note headed “INCOME REQUIRED” the word “and” where it first occurs is omitted and for the words
- “revenue support grant [and area protection grant],”
- there are substituted—
- “revenue support grant [and area protection grant],
 - community charge grant”;
- (b) at the end of the note headed “COMMUNITY CHARGE FOR A STANDARD LEVEL OF SERVICE” there are inserted the following sentences—
- “Furthermore, it takes into account the general reduction in community charges under the Community Charges (General Reduction) Act 1991. The Act provides for the Government to make grants to authorities to compensate them for this.”.
- (10) In Forms A, B and C, for the words from “Payment Instructions” to the words “credits brought forward” there are substituted the following—

“Payment Instructions

This bill is issued by *name and address of charging authority. State address and/or telephone number to which enquiries about the bill may be directed.*

Insert details of the instalments or, if applicable, revised instalments required to be paid or other payments required to be made and details of how payments can be made, and, if applicable, details of any discounts available or credits brought forward, and, if the charging authority proposes to credit any sum which might fall to be repaid (if so required), a statement that that sum may be required to be repaid.”.

(11) In Form C after the words “Community Charges (Co-owners) Regulations 1990” there are inserted the words “(S.I. 1990/146) as amended by regulation 3 of the Community Charges (Miscellaneous Provisions) Regulations 1991”**(5)**.

(12) In Form D, after the words “Community Charges (Co-owners) Regulations 1990 (S.I. 1990/146)” there are inserted the words “as amended by regulation 3 of the Community Charges (Miscellaneous Provisions) Regulations 1991”, followed by the following paragraph—

“Where the notice is an adjustment notice, insert also a statement of the day on which (pursuant to section 10(5) of the Act) contributions first fall to be calculated by reference to the amount substituted for the amount set by the charging authority for its personal community charges for the whole or any part of its area, being an amount which has been reduced in accordance with the Community Charges (General Reduction) Act 1991, and, if the charging authority proposes to credit any sum which might fall to be repaid (if so required), a statement that that sum may be required to be repaid.”.

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

(13) In Part I of Schedule 1, in the instructions following each of Forms A, B, C and D, for the words“(b) Insert the amount described in paragraph 2 of Part II of Schedule 1” there are substituted the words“(b) Insert the amount calculated under paragraph 2 of Part II of Schedule 1”.

(14) In Part II of Schedule 1, in paragraph 2, for the words“‘The amount of’” there are substituted the words“‘The amount found by subtracting the sum of £140 from the amount of’”, and for the words“‘that amount’” there are substituted the words“‘that latter amount’”.

(15) In Part III of Schedule 1, in paragraph 7(1)(a), the words“‘and contained in a notice’” are omitted.

(16) In Part I of Schedule 3, at the end of paragraph 5, there is inserted the following—
“with an indication, whether as part of the breakdown or expressed by reference to it, that account has been taken of the Community Charges (General Reduction) Act 1991”.

Michael Heseltine
One of Her Majesty’s Principal Secretaries of
State

28th March 1991

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Community Charges (General Reduction) Act 1991 (“the 1991 Act”) reduced the amount set by charging authorities for their personal community charges for the financial year beginning 1st April 1991 by £140 (or such lesser amount as would reduce the amount to £0), and at section 1(5) provided for the liability of chargepayers to be suspended until they are served with a demand which is expressed to take account of the provisions of the 1991 Act.

Regulation 3 of these Regulations amends the Community Charges and Non-Domestic Rating (Demand Notices) (England) Regulations 1991 (“the demand notice Regulations”) which make provision for the form and content of community charge demand notices, the content of rate demand notices, and the information to be supplied with them. The amendments—

- (a) limit the application of the demand notice Regulations to notices served in respect of the financial year beginning on 1st April 1991;
- (b) apply the Regulations to certain notices adjusting the amount payable in respect of liability to pay an amount under a community charge demand notice; and
- (c) provide for the manner in which account is to be taken of the provisions of the 1991 Act, and make consequential provision.