
STATUTORY INSTRUMENTS

1992 No. 3008

The Council Tax (Administration and Enforcement) (Amendment) Regulations 1992

Information from public bodies

6. For regulation 4 there is substituted the following—

“Information from public bodies

4.—(1) A billing authority may, for the purpose of carrying out its functions under Part I of the Act, request (by notice given in writing)—

- (a) a person mentioned in paragraph (2) to supply to it such information as is specified in the notice and does not fall within paragraph (3);
- (b) a person mentioned in paragraph (4) to supply to it such information as is specified in the notice and does not fall within paragraph (5).

(2) The persons referred to in paragraph (1)(a) are—

- (a) any other billing authority,
- (b) any precepting authority,
- (c) any levying authority; and
- (d) the electoral registration officer for any area in Great Britain.

(3) Information falls within this paragraph if—

- (a) the information was obtained by the person concerned, or by a committee of such a person—
 - (i) in its capacity as police authority, or
 - (ii) in its capacity as a constituent council of such an authority,
- (b) the information was obtained by the person concerned in its capacity as an employer, or
- (c) the information consists of anything other than the name, address and any past or present place of residence of any person and the dates during which he is known or thought to have resided at that place.

(4) The persons referred to in paragraph (1)(b) are community charges registration officers.

(5) Information falls within this paragraph if it consists of anything other than—

- (a) the name, address and any past or present place of residence of any person and the dates during which he is known or thought to have resided at that place;
- (b) information relevant to the status of any person as an exempt individual; and
- (c) the days on which any person was an exempt individual.

(6) Information requested under paragraph (1) shall be supplied by the person requested to supply it if it is in his possession or control, and it shall be so supplied within 21 days of the day on which the request is made.

(7) A billing authority may (so far as it does not have the power to do so apart from under this Part) supply relevant information to another billing authority or to a levying authority even if it is not requested to supply the information.

(8) Information is relevant information for the purposes of paragraph (7) if—

- (a) it was obtained by the first-mentioned authority in exercising its functions under Part I of the Act, and
- (b) it believes it would be useful to the other authority in exercising its functions under that Part or, in the case of a levying authority, Part II of the Act.

(9) In this regulation—

- (a) references to community charges registration officers shall be construed—
 - (i) in relation to such officers in England or Wales, in accordance with section 26 of the Local Government Finance Act 1988⁽¹⁾; and
 - (ii) in relation to such officers in Scotland, in accordance with section 12 of the Abolition of Domestic Rates Etc. (Scotland) Act 1987⁽²⁾ (“the 1987 Act”); and
- (b) references to an exempt individual shall be construed—
 - (i) as regards any period during which the sole or main residence of the person concerned is or was in England or Wales, in accordance with section 2 of, and Schedule 1 to, the Local Government Finance Act 1988;
 - (ii) as regards any period during which a person was solely or mainly resident in Scotland, in accordance with section 8(8) of, and Schedule 1A to, the 1987 Act⁽³⁾.”.

⁽¹⁾ 1988 c. 41; section 26 is amended by paragraph 7 of Schedule 5 to the Local Government and Housing Act 1989 (c. 42).

⁽²⁾ 1987 c. 47.

⁽³⁾ 1988 c. 41; Schedule 1 was amended by paragraph 10 of Schedule 5 to the Local Government and Housing Act 1989 (c. 42), by section 101(1) of the Local Government Finance Act 1992 and by S.I. 1989/442, 1990/462, 1991/739 and 1992/494. 1987 c. 47. Section 8(8) was substituted by section 129 of the Local Government Finance Act 1988. Schedule 1A to the Abolition of Domestic Rates Etc. (Scotland) Act 1987 was inserted by paragraph 35 of Schedule 12 to the Local Government Finance Act 1988 and amended by S.I. 1989/63 and section 101(2) of the Local Government Finance Act 1992.