
STATUTORY INSTRUMENTS

1992 No. 613

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

PART V

Billing

Demand notices: payments required

20.—(1) If the demand notice is issued before or during the relevant year, the notice shall require the making of payments on account of the amount referred to in paragraph (2).

(2) The amount is—

- (a) the billing authority's estimate of the chargeable amount, made as respects the relevant year or part, as the case may be, on the assumptions referred to in paragraph (3); or
- (b) [^{F1}subject to paragraph (2A), where] an amount falls to be credited by the billing authority against the chargeable amount, the amount (if any) by which the amount estimated as mentioned in sub-paragraph (a) exceeds the amount falling to be so credited.

[^{F2}(2A) Where the billing authority has made a determination under—

- (a) paragraph 118(1)(c) of the scheme prescribed in the Schedule to the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012; or
 - (b) a provision contained in an authority's scheme under section 13A(2) of the Act by virtue of paragraph 14(1)(c) of Schedule 8 to the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012
- paragraph (2)(b) shall not apply in relation to that amount.]

[^{F3}(2A) Where the billing authority has made a determination under—

- [^{F4}(a) paragraph 116(2)(c) of the scheme prescribed in the Schedule to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulation 2013;]
- [^{F5}(b) a provision contained in an authority's scheme by virtue of regulation 34(3) of, and paragraph 10(2)(c) of Schedule 13 to, the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013,]

paragraph (2)(b) shall not apply in relation to that amount.]

(3) The assumptions are—

- (a) that the person will be liable to pay the council tax to which the notice relates on every day after the issue of the notice;
- (b) that, as regards the dwelling concerned, the relevant valuation band on the day the notice is issued will remain the relevant valuation band for the dwelling as regards every day after the issue of the notice;
- (c) if on the day the notice is issued the person satisfies conditions prescribed for the purposes of regulations under section 13 of the Act (and consequently the chargeable amount in his

- case is less than it would otherwise be), that he will continue to satisfy those conditions as regards every day after the issue of the notice;
- (d) if, by virtue of regulation 9(1), the dwelling to which the notice relates is assumed to be a chargeable dwelling on the day the notice is issued, that it will continue to be a chargeable dwelling as regards every day after the issue of the notice;
- (e) if, by virtue of regulation 15(1), the chargeable amount is assumed not to be subject to a discount on the day the notice is issued, that it will not be subject to a discount as regards any day after the issue of the notice;
- (f) if, by virtue of regulation 15(2), the chargeable amount is assumed to be subject to a discount on the day the notice is issued, that it will continue to be subject to the same rate of discount as regards every day after the issue of the notice; ^{F6}...
- [^{F7}(fa) if, by virtue of regulation 15(3) it is assumed that the chargeable amount is not subject to a discount, that it will not be subject to a discount as regards any day after the issue of the notice; and]
- (g) if on the day the notice is issued a determination as to council tax benefit to which the person is entitled is in effect, and by virtue of regulations under section 138(1) of the Social Security Administration Act 1992(1) the benefit allowed as regards that day takes the form of a reduction in the amount the person is liable to pay in respect of council tax for the relevant year, that as regards every day after that day he will be allowed the same reduction in that amount.
- (4) If the demand notice is issued during the relevant year and the liable person is not liable to pay an amount by way of council tax in respect of the day on which the notice is issued, the demand notice shall require payment of—
- (a) the chargeable amount for the period in the year up to the last day in respect of which he was so liable; or
- (b) where an amount falls to be credited by the billing authority against that chargeable amount, an amount equal to the amount (if any) by which that chargeable amount exceeds the amount falling to be so credited.
- (5) If the demand notice is issued after the end of the relevant year, it shall require payment of—
- (a) the chargeable amount; or
- (b) where an amount falls to be credited by the billing authority against the chargeable amount, an amount equal to the amount (if any) by which the chargeable amount exceeds the amount falling to be so credited.

Textual Amendments

- F1** Words in reg. 20(2)(b) substituted (E.) (1.4.2013) by [The Council Tax \(Administration and Enforcement\) \(Amendment\) \(No.2\) \(England\) Regulations 2012 \(S.I. 2012/3086\)](#), regs. 1(1)(b), **2(12)(a)** and substituted (W.) (1.4.2013) by [The Council Tax \(Administration and Enforcement\) \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/62\)](#), regs. 1(2), **2(10)(a)**
- F2** Reg. 20(2A) inserted (E.) (1.4.2013) by [The Council Tax \(Administration and Enforcement\) \(Amendment\) \(No.2\) \(England\) Regulations 2012 \(S.I. 2012/3086\)](#), regs. 1(1)(b), **2(12)(b)**
- F3** Reg. 20(2A) inserted (W.) (1.4.2013) by [The Council Tax \(Administration and Enforcement\) \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/62\)](#), regs. 1(2), **2(10)(b)**
- F4** Reg. 20(2A)(a) substituted (W.) (14.2.2014) by [The Council Tax \(Administration and Enforcement\) \(Amendment\) \(Wales\) Regulations 2014 \(S.I. 2014/129\)](#), regs. 1(2), **9(a)** (with reg. 11)

- F5** Reg. 20(2A)(b) substituted (W.) (14.2.2014) by The Council Tax (Administration and Enforcement) (Amendment) (Wales) Regulations 2014 (S.I. 2014/129), regs. 1(2), **9(b)** (with reg. 11)
- F6** Word in reg. 20(3)(f) omitted (E.) (1.4.2013) by virtue of The Council Tax (Administration and Enforcement) (Amendment) (No.2) (England) Regulations 2012 (S.I. 2012/3086), regs. 1(1)(b), **2(12)(c)** and omitted (W.) (1.4.2013) by virtue of The Council Tax (Administration and Enforcement) (Amendment) (Wales) Regulations 2013 (S.I. 2013/62), regs. 1(2), **2(10)(c)**
- F7** Reg. 20(3)(fa) inserted (E.) (1.4.2013) by The Council Tax (Administration and Enforcement) (Amendment) (No.2) (England) Regulations 2012 (S.I. 2012/3086), regs. 1(1)(b), **2(12)(d)** and inserted (W.) (1.4.2013) by The Council Tax (Administration and Enforcement) (Amendment) (Wales) Regulations 2013 (S.I. 2013/62), regs. 1(2), **2(10)(d)**

Commencement Information

- I1** Reg. 20 in force at 1.4.1992, see **reg. 1(1)**

Changes to legislation:

There are currently no known outstanding effects for the The Council Tax (Administration and Enforcement) Regulations 1992, Section 20.