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STATUTORY INSTRUMENTS

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**1992 No. 613**

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

**PART VI**

**Enforcement**

**Application for liability order**

**34.**—(1) If an amount which has fallen due under regulation 23(3) or (4) is wholly or partly unpaid, or (in a case where a final notice is required under regulation 33) the amount stated in the final notice is wholly or partly unpaid at the expiry of the period of 7 days beginning with the day on which the notice was issued, the billing authority may, in accordance with paragraph (2), apply to a magistrates' court for an order against the person by whom it is payable.

(2) The application is to be instituted by making complaint to a justice of the peace, and requesting the issue of a summons directed to that person to appear before the court to show why he has not paid the sum which is outstanding.

(3) Section 127(1) of the Magistrates' Courts Act 1980<sup>(1)</sup> does not apply to such an application; but no application may be instituted in respect of a sum after the period of six years beginning with the day on which it became due under Part V.

(4) A warrant shall not be issued under section 55(2) of the Magistrates' Courts Act 1980 in any proceedings under this regulation.

(5) If, after a summons has been issued in accordance with paragraph (2) but before the application is heard, there is paid or tendered to the authority an amount equal to the aggregate of—

- (a) the sum specified in the summons as the sum outstanding or so much of it as remains outstanding (as the case may be); and
- (b) a sum of an amount equal to the costs reasonably incurred by the authority in connection with the application up to the time of the payment or tender,

the authority shall accept the amount and the application shall not be proceeded with.

(6) The court shall make the order if it is satisfied that the sum has become payable by the defendant and has not been paid.

(7) An order made pursuant to paragraph (6) shall be made in respect of an amount equal to the aggregate of—

- (a) the sum payable, and
- (b) a sum of an amount equal to the costs reasonably incurred by the applicant in obtaining the order.

(8) Where the sum payable is paid after a liability order has been applied for under paragraph (2) but before it is made, the court shall nonetheless (if so requested by the billing authority) make the

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(1) 1980 c. 43.

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**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Council Tax (Administration and Enforcement) Regulations 1992. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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order in respect of a sum of an amount equal to the costs reasonably incurred by the authority in making the application.

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**Commencement Information**

**11** Reg. 34 in force at 1.4.1992, see [reg. 1\(1\)](#)

### Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Council Tax (Administration and Enforcement) Regulations 1992. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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### Changes and effects yet to be applied to :

- Instrument amended by [S.I. 1995/247 reg.17\(1\)\(3\)](#)
- Instrument extended by [S.I. 1995/247 reg.16](#)
- [reg.34\(1\)](#) amended by [S.I. 1992/3008 reg.15](#)
- [reg.34\(7\)\(b\)\(8\)](#) applied by [S.I. 1995/247 reg.20](#)
- [reg. 34\(7\)\(b\)](#) words inserted by [S.I. 2011/528 reg. 3\(2\)\(a\)](#)
- [reg. 34\(8\)](#) words inserted by [S.I. 2011/528 reg. 3\(2\)\(b\)](#)
- [re 1\(2\)](#) (defns of Exempt Dwellings Order and managing agent) added by [S.I. 1992/3008 reg.3](#)

### Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- [Sch.1 para 4A](#) added by [S.I. 1992/3008 reg.20\(b\)](#)
- [Sch.1 para 10\(1\)\(h\)](#) added by [S.I. 1992/3008 reg.20\(d\)\(iii\)](#)
- [Sch.1 para.2\(7\)](#) added by [S.I. 1995/22 reg.5\(b\)](#)
- [Sch.1 para.10\(6\)\(aa\)](#) added by [S.I. 1995/22 reg.6\(b\)](#)
- [Sch.1 para.10\(6A\)](#) added by [S.I. 1995/22 reg.6\(c\)](#)
- [Sch. 1 para. 2\(3A\)\(3B\)](#) inserted by [S.I. 2012/3086 reg. 2\(14\)\(b\)](#)
- [Sch. 1 para. 10\(1\)\(ea\)\(eb\)](#) inserted by [S.I. 2012/3086 reg. 2\(15\)\(b\)](#)
- [Sch. 1 para. 2\(3A\)\(3B\)](#) inserted by [S.I. 2013/62 reg. 2\(12\)\(b\)](#)
- [Sch. 1 para. 10\(1\)\(ea\)\(eb\)](#) inserted by [S.I. 2017/41 reg. 2\(7\)](#)
- [Sch. 1 para. 2\(3A\)](#) word inserted by [S.I. 2013/590 reg. 2\(7\)](#)
- [Sch. 3 para. 1](#) sums substituted by [S.I. 2004/1013 reg. 3\(a\)\(i\)](#)
- [Sch. 3 Form](#) words inserted by [S.I. 2013/630 reg. 56\(6\)](#)
- [Sch. 3 form](#) words inserted by [S.I. 2013/570 reg. 11](#)
- [Sch.5 para.2A](#) added by [S.I. 1998/295 reg.8\(4\)](#)
- [Sch.6](#) added by [S.I. 1994/505 reg.9](#)
- [sch 6 subst](#) by [S.I. 2010/752 reg 3 schedule](#)
- [Sch. 6](#) substituted by [S.I. 2011/528 reg. 3\(3\)](#)
- [reg. 2\(4\)](#) words omitted by [S.I. 2012/3086 reg. 2\(3\)\(a\)](#)
- [reg. 2\(4\)](#) words omitted by [S.I. 2013/62 reg. 2\(3\)\(a\)](#)
- [reg. 2\(4A\)-\(4C\)](#) inserted by [S.I. 2012/3086 reg. 2\(3\)\(b\)](#)
- [reg. 2\(4A\)-\(4C\)](#) inserted by [S.I. 2013/62 reg. 2\(3\)\(b\)](#)
- [reg. 2\(6\)](#) words substituted by [S.I. 2012/3086 reg. 2\(3\)\(c\)](#)
- [reg. 2\(6\)](#) words substituted by [S.I. 2013/62 reg. 2\(3\)\(c\)](#)
- [reg. 2\(7\)](#) words substituted by [S.I. 2012/3086 reg. 2\(3\)\(d\)](#)
- [reg. 2\(7\)](#) words substituted by [S.I. 2013/62 reg. 2\(3\)\(d\)](#)
- [reg. 4\(8\)\(a\)](#) word omitted by [S.I. 2012/3086 reg. 2\(4\)\(a\)](#)
- [reg. 4\(8\)\(a\)](#) word omitted by [S.I. 2013/62 reg. 2\(4\)\(a\)](#)
- [reg. 4\(8\)\(b\)](#) word substituted by [S.I. 2012/3086 reg. 2\(4\)\(b\)](#)
- [reg. 4\(8\)\(b\)](#) word substituted by [S.I. 2013/62 reg. 2\(4\)\(b\)](#)
- [reg. 4\(8\)\(c\)](#) inserted by [S.I. 2012/3086 reg. 2\(4\)\(c\)](#)
- [reg. 4\(8\)\(c\)](#) inserted by [S.I. 2013/62 reg. 2\(4\)\(c\)](#)
- [reg. 5A-5C](#) inserted by [S.I. 2013/590 reg. 2\(3\)](#)
- [reg. 5A-5C](#) inserted by [S.I. 2013/570 reg. 4](#)
- [reg.7\(3A\)](#) added by [S.I. 1992/3008 reg.7\(c\)](#)
- [reg. 9\(3\)](#) inserted by [S.I. 2012/3086 reg. 2\(5\)\(b\)](#)

- reg. 9(3) inserted by S.I. 2013/62 reg. 2(5)(b)
- reg. 9(3)(a) substituted by S.I. 2014/129 reg. 4(a)
- reg. 9(3)(b) substituted by S.I. 2014/129 reg. 4(b)
- reg. 10(6A) inserted by S.I. 2012/3086 reg. 2(6)(b)
- reg. 10(6A) inserted by S.I. 2013/62 reg. 2(6)(b)
- reg. 10(6A) words substituted by S.I. 2014/129 reg. 5(a)
- reg. 10(6A)(b)(i) substituted by S.I. 2014/129 reg. 5(b)
- reg. 11(1A) inserted by S.I. 2012/3086 reg. 2(7)(b)
- reg. 11(1A) inserted by S.I. 2013/62 reg. 2(7)(b)
- reg. 11(1A) words substituted by S.I. 2014/129 reg. 6
- reg. 15(3) inserted by S.I. 2012/3086 reg. 2(10)(d)
- reg. 15(3) inserted by S.I. 2013/62 reg. 2(8)(b)
- reg. 15(3)(a) substituted by S.I. 2014/129 reg. 7(a)
- reg. 15(3)(b) substituted by S.I. 2014/129 reg. 7(b)
- reg. 16(1A) inserted by S.I. 2012/3086 reg. 2(11)(c)
- reg. 16(1A) inserted by S.I. 2013/62 reg. 2(9)(b)
- reg. 16(1A) words substituted by S.I. 2014/129 reg. 8
- reg.17(1A)(1B) added by S.I. 1993/196 reg.2(b)
- reg. 17(1A) modified by S.I. 1995/3150 art. 5
- reg.17(1A)(a) amended by S.I. 1995/247 reg.19
- reg. 20(2A) inserted by S.I. 2012/3086 reg. 2(12)(b)
- reg. 20(2A) inserted by S.I. 2013/62 reg. 2(10)(b)
- reg. 20(2A)(a) substituted by S.I. 2014/129 reg. 9(a)
- reg. 20(2A)(b) substituted by S.I. 2014/129 reg. 9(b)
- reg. 20(3)(fa) inserted by S.I. 2012/3086 reg. 2(12)(d)
- reg. 20(3)(fa) inserted by S.I. 2013/62 reg. 2(10)(d)
- reg. 21(1A)-(1D) inserted by S.I. 2012/3086 reg. 2(13)
- reg. 21(1A)-(1D) inserted by S.I. 2013/62 reg. 2(11)
- reg. 21A21B inserted by S.I. 2012/672 reg. 2(2)
- reg. 27(2)(e)(i) words inserted by S.I. 2013/590 reg. 2(4)
- reg. 27(2)(e)(i) words inserted by S.I. 2013/570 reg. 5
- reg.32(5) added by S.I. 1992/3008 reg.13
- reg.35(2A) added by S.I. 1998/295 reg.3
- reg. 36A inserted by S.I. 2004/927 reg. 5(2)
- reg. 36A inserted by S.I. 2004/785 reg. 5(2)
- reg. 37(1A) inserted by S.I. 2004/927 reg. 6(b)
- reg. 37(1A) inserted by S.I. 2004/785 reg. 6(b)
- reg. 37(1A)(a) full stop substituted by S.I. 2014/600 Sch. para. 3(b)(i)
- reg. 37(1A)(b) omitted by S.I. 2014/600 Sch. para. 3(b)(ii)
- reg.37(4) added by S.I. 1998/295 reg.4(2)
- reg.38Sch.3 para 4(b) amended by S.I. 1992/3008 reg.16(2)
- reg.45(1A) added by S.I. 1993/773 reg.5
- reg.45(6A) added by S.I. 1998/295 reg.6
- reg.45A added by S.I. 1998/295 reg.7(2)
- reg. 45A omitted by S.I. 2014/600 Sch. para. 3(d)
- reg. 45A revoked by S.I. 2014/600 Sch. Pt. 2
- regs.46(2)(b)52(2)(b) amended by S.I. 1996/2405 reg.2
- regs.46(2)(b)52(2)(b) amended by S.I. 1996/2405 reg.2
- reg. 47(6A)(a) words substituted by S.I. 2014/600 Sch. para. 3(e)(iii)
- reg. 52(2)(b) words inserted by S.I. 2013/630 reg. 56(4)
- reg. 52(2)(b) words inserted by S.I. 2013/570 reg. 8
- reg.52(2A) added by S.I. 1993/773 reg.6(c)
- reg. 53(1)(1A) omitted by S.I. 2005/617 Sch. para. 151
- reg. 53(1A) inserted by S.I. 1996/675 Sch. para. 10
- reg.54(3A) added by S.I. 1992/3008 reg.18
- reg.54(5)(d) added by S.I. 1994/505 reg.8(a)(iii)
- reg. 54(5)(d) words inserted by S.I. 2013/630 reg. 56(5)
- reg. 54(5)(d) words inserted by S.I. 2013/570 reg. 9(a)

- reg.54(6A)(6B) added by S.I. 1994/505 reg.8(c)
- reg. 54(6A) words inserted by S.I. 2013/630 reg. 56(5)
- reg. 54(6A) words inserted by S.I. 2013/570 reg. 9(b)
- reg.54(9A) added by S.I. 1993/773 reg.7(a)