

2001 No. 362

**COMMUNITY CHARGES, ENGLAND
COUNCIL TAX, ENGLAND
RATING AND VALUATION, ENGLAND**

**The Community Charges, Council Tax and Non-Domestic
Rating (Enforcement) (Magistrates' Courts) (England)
Regulations 2001**

<i>Made</i> - - - -	<i>12th February 2001</i>
<i>Laid before Parliament</i>	<i>19th February 2001</i>
<i>Coming into force</i>	<i>1st April 2001</i>

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred upon him by section 143(2) of, and paragraphs 1 and 8 of Schedule 4 and paragraphs 1 and 3 of Schedule 9 to, the Local Government Finance Act 1988(a) and section 113(2) of, and paragraphs 1 and 8 of Schedule 4 to, the Local Government Finance Act 1992(b) hereby makes the following Regulations:

Citation, commencement and extent

1. These Regulations, which extend to England only, may be cited as the Community Charges, Council Tax and Non-Domestic Rating (Enforcement) (Magistrates' Courts) (England) Regulations 2001 and shall come into force on 1st April 2001.

Amendment of regulations

2. In each of the following provisions, for the words "clerk of the court" there shall be substituted the words "justices' chief executive for the court"—

- (a) regulation 52(4) of the Community Charges (Administration and Enforcement) Regulations 1989(c);
- (b) regulation 23(4) of the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989(d);

(a) 1988 c. 41. Section 22 under which Schedule 4 had effect was repealed by section 117(2) of, and Schedule 14 to, the Local Government Finance Act 1992 (c. 14), but under section 118(1) of that Act the repeal is not to affect the operation of those provisions in relation to any community charge in respect of a day falling before 1st April 1993 or in relation to any financial year beginning before that date.

(b) 1992 c. 14. These powers, and those conferred by the provisions of the 1988 Act referred to in the preamble, are devolved, in relation to Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); see the references to the Local Government Finance Acts 1988 and 1992 in Schedule 1.

(c) S.I. 1989/438, to which there are amendments not relevant to these Regulations.

(d) S.I. 1989/1058, to which there are amendments not relevant to these Regulations.

(c) regulation 57(3) of the Council Tax (Administration and Enforcement) Regulations 1992(a).

Signed by authority of the Secretary of State for
the Environment, Transport and the Regions

Beverley Hughes
Parliamentary Under-Secretary of State
Department of the Environment,
Transport and the Regions

12th February 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to England only, amend the following instruments to transfer the administrative functions of justices' clerks under them to justices' chief executives:

- the Community Charges (Administration and Enforcement) Regulations 1989;
- the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989;
- the Council Tax (Administration and Enforcement) Regulations 1992.

Similar transfers are made by section 90 of and Schedule 13 to the Access to Justice Act 1999 (c. 22).

(a) S.I. 1992/613, to which there are amendments not relevant to these Regulations.

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