

2003 No. 2210

RATING AND VALUATION, ENGLAND

The Non-Domestic Rating (Collection and Enforcement) (Local Lists) (Amendment) (England) Regulations 2003

<i>Made</i> - - - -	<i>27th August 2003</i>
<i>Laid before Parliament</i>	<i>4th September 2003</i>
<i>Coming into force</i> - -	<i>1st October 2003</i>

The First Secretary of State, in exercise of the powers conferred on him by section 143 of, and paragraphs 1 and 3 of Schedule 9 to, the Local Government Finance Act 1988(a), hereby makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Non-Domestic Rating (Collection and Enforcement) (Local Lists) (Amendment) (England) Regulations 2003 and shall come into force on 1st October 2003.

(2) These Regulations apply to billing authorities in England only.

Amendment of the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989

2. The Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989(b) are amended in accordance with regulations 3 and 4.

Forms of liability order and warrant of commitment

3.—(1) In regulation 13(1) omit the words—

- (a) “(in which case the order shall be in the form specified as form A in Schedule 2, or a form to the like effect)”; and
- (b) “(in which case the order shall be in the form specified as form B in that Schedule, or a form to the like effect)”.

(2) In regulation 17(1) omit the words “, and shall be in the form specified as form C in Schedule 2, or in a form to the like effect”.

(3) Omit Schedule 2.

(a) 1988 c.41. These powers 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 reference to the Local Government Finance Act 1988 in Schedule 1.

(b) S.I. 1989/1058, relevant amending instruments are S.I. 1990/145, 1992/474 and 1993/616. [ODPM2797]

Charges connected with distress

4. In Schedule 3

- (a) in column (2) of the Table to paragraph 1—
 - (i) in relation to head A (visit where no levy is made), for “£20.00” substitute “£22.50”, and for “£15.00” substitute “£16.50”;
 - (ii) in relation to head E (possession of goods), for “£12.50” substitute “£14.00” and for “£10.00” substitute “£11.00”; and
 - (iii) in relation to head H (prior payment etc.), for “£20.00” substitute “£22.50”; and
- (b) in subparagraph (1) of paragraph 2 (amounts in respect of levy)—
 - (i) in paragraph (a), for “£20” substitute “£22.50”; and
 - (ii) in paragraph (b), for “20 per cent” substitute “22.5 per cent”.

Signed by authority of the First Secretary of State

27th August 2003

Nick Raynsford
Minister of State,
Office of the Deputy Prime Minister

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989 in relation to England.

Schedule 2, which contains prescribed forms A, B and C for use by magistrates' courts making a liability order or issuing a warrant committing a debtor to prison, is omitted. Consequential amendments are made to regulations 13(1) and 17(1).

Regulation 4 revises the levels of certain fees which may be charged in respect of distress. Fees of £20 are increased to £22.50, a fee of £15 is increased to £16.50, a fee of £12.50 to £14 and a fee of £10 to £11. These increases are in line with inflation since 1998 when the fees were last increased.

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