

STATUTORY INSTRUMENTS

2010 No. 948

The Community Infrastructure Levy Regulations 2010

PART 6

EXEMPTIONS AND RELIEF

[^{F1}Exemption for residential annexes or extensions: procedure

42B.—(1) A person who wishes to benefit from the exemption for residential annexes or extensions must submit a claim to the collecting authority in accordance with this regulation.

(2) The claim must—

- (a) [^{F2}subject to paragraph (3A),] be received by the collecting authority before commencement of the chargeable development;
- (b) be submitted to the collecting authority in writing on a form published by the Secretary of State (or a form substantially to the same effect);
- (c) include the particulars specified or referred to in the form; and
- (d) be accompanied by the documents specified or referred to in the form.

(3) [^{F3}Subject to paragraph (3A),] a claim under this regulation will lapse where the chargeable development to which it relates is commenced before the collecting authority has notified the claimant of its decision on the claim.

[^{F4}(3A) Paragraphs (2)(a) and (3) do not apply where an exemption for residential annexes or extensions has been granted in relation to a chargeable development and the annex or extension changes after the commencement of that development.]

(4) As soon as practicable after receiving a valid claim ^{F5}... the collecting authority must grant the exemption and notify the claimant in writing of the exemption granted (or the amount of relief granted, as the case may be) [^{F6}and, in relation to an exemption for residential annexes, provide an explanation of the requirements of regulation 67(1)].

(5) A claim for an exemption for residential annexes or extensions is valid if it complies with the requirements of paragraph (2).

[^{F7}(6) A person who is granted an exemption [^{F7}for residential annexes or residential extensions ceases to be eligible for that exemption if a commencement notice is not submitted to the collecting authority before the day the chargeable development is commenced.]]

Textual Amendments

F1 Regs. 42A-42C inserted (24.2.2014) by [The Community Infrastructure Levy \(Amendment\) Regulations 2014 \(S.I. 2014/385\)](#), regs. 1, **7(1)**

F2 Words in reg. 42B(2)(a) inserted (E.) (1.9.2019) by [The Community Infrastructure Levy \(Amendment\) \(England\) \(No. 2\) Regulations 2019 \(S.I. 2019/1103\)](#), regs. 1, **6(2)(a)** (with regs. 1(4), 13)

Changes to legislation: *There are currently no known outstanding effects for the The Community Infrastructure Levy Regulations 2010, Section 42B. (See end of Document for details)*

- F3** Words in reg. 42B(3) inserted (E.) (1.9.2019) by The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 (S.I. 2019/1103), regs. 1, **6(2)(b)** (with regs. 1(4), 13)
- F4** Reg. 42B(3A) inserted (E.) (1.9.2019) by The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 (S.I. 2019/1103), regs. 1, **6(2)(c)** (with regs. 1(4), 13)
- F5** Words in reg. 42B(4) omitted (31.12.2020) by virtue of The State Aid (Revocations and Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1470), reg. 1(2), **Sch. 2 para. 11(5)** (with Sch. 3)
- F6** Words in reg. 42B(4) inserted (E.) (1.9.2019) by The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 (S.I. 2019/1103), regs. 1, **6(2)(d)** (with regs. 1(4), 13)
- F7** Reg. 42B(6) omitted (E.) (1.9.2019) by virtue of The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 (S.I. 2019/1103), regs. 1, **6(2)(e)** (with regs. 1(4), 13)

Changes to legislation:

There are currently no known outstanding effects for the The Community Infrastructure Levy Regulations 2010, Section 42B.