
WELSH STATUTORY INSTRUMENTS

2004 No. 785

**The Council Tax (Administration and Enforcement)
(Amendment) (Wales) Regulations 2004**

Charging orders

7. In regulation 50—

(a) for paragraph (1) substitute—

“(1) An application to the appropriate court may be made under this regulation where—

- (a) a magistrates' court has made one or more liability orders pursuant to either regulation 34(6) or 36A(5);
- (b) the amount mentioned in regulation 34(7)(a) or 36A(5)(a) in respect of which the liability order was made, or, where more than one liability order was made, the aggregate of the amounts mentioned in regulation 34(7)(a) or 36A(5)(a) in respect of which each such liability order was made, is an amount the debtor is liable to pay under Part V; and
- (c) at the time that the application under this regulation is made at least £1000 of the amount in respect of which the liability order was made, or, where more than one liability order was made, the aggregate of the amounts in respect of which those liability orders were made, remains outstanding.”

(b) for paragraph (3) substitute—

“(3) For the purposes of paragraph (2)—

- (a) the authority concerned is the authority which applied for the one or more liability orders referred to in paragraph (1)(a);
- (b) the relevant dwelling is the dwelling in respect of which, at the time the application for the liability order was made, or, where more than one liability order was made, at the time the applications for the liability orders were made, the debtor was liable to pay council tax;
- (c) the due amount is the aggregate of—
 - (i) an amount equal to any outstanding sum which is, or forms part of, the amount in respect of which the one or more liability orders were made, and
 - (ii) a sum of an amount equal to the costs reasonably incurred by the applicant in obtaining the charging order;
- (d) the appropriate court is the county court for the area in which the relevant dwelling is situated.”