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WELSH STATUTORY INSTRUMENTS

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**2009 No. 2706**

**The Council Tax and Non-Domestic Rating  
(Electronic Communications) (Wales) Order 2009**

**Amendment of the Council Tax (Administration and Enforcement) Regulations 1992**

**10.**—(1) Regulation 2 (service of notices) is amended as follows.

(2) After paragraph (3) insert—

“(4) Without prejudice to section 233 of the Local Government Act 1972 and paragraphs (1), (2) and (3) above and subject to paragraphs (5) to (8) below, any notice required or authorised to be given to or served by a billing authority on any person by a provision of Part II, III or V of these Regulations or by Regulation 33, or any information required by the demand notice regulations to be supplied to any person when a demand notice (within the meaning of Part V of these Regulations) is served:

- (a) may be so given, served or supplied by sending the notice or information to that person by electronic communication to such address as may be notified by that person for that purpose; or
- (b) is to be treated as given, served or supplied to that person where—
  - (i) the billing authority and that person have agreed for that purpose that any document containing that notice or information may be accessed by that person on a website;
  - (ii) the document is a document to which that agreement applies;
  - (iii) the billing authority has published the document on a website; and
  - (iv) that person is notified, in a manner for the time being agreed for that purpose between that person and the billing authority, of—
    - (aa) the publication of the document on a website;
    - (bb) the address of that website; and
    - (cc) the place on the website where the document may be accessed.

(5) For the purpose of any legal proceedings, a notice given by a means described in paragraph (4), unless the contrary is proved, is treated as served on the second business day after—

- (a) it was sent in accordance with paragraph (4)(a); or
- (b) notification of its publication was given in accordance with paragraph (4)(b)(iv).

(6) A person who has notified an address for the purpose of paragraph (4)(a) must, by notice in writing to the billing authority, advise the billing authority of any change in that address; and the change takes effect on the third business day after the date on which the notice is received by the billing authority.

(7) A person who has notified an address for the purpose of paragraph (4)(a) may, by notice in writing to the billing authority, withdraw that notification; and the withdrawal takes effect on the third business day after the date on which the notice is received by the billing authority.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(8) A person who has entered into an agreement with the billing authority under paragraph (4)(b)(i) may, by notice in writing to the billing authority, inform the authority that they no longer wish to be party to the agreement; and where such notice is given, the agreement must be treated as revoked on the third business day after the date on which the notice is received by the billing authority.”.