



Local Government Finance Act 1992

1992 CHAPTER 14

PART I **E+W**

COUNCIL TAX: ENGLAND AND WALES

CHAPTER I **E+W**

MAIN PROVISIONS

Modifications etc. (not altering text)

C6 Pt. I Chapter I amended (28.11.1994) by [S.I. 1994/2825](#), [regs. 44, 49](#)

Preliminary

1 Council tax in respect of dwellings. **E+W**

(1) As regards the financial year beginning in 1993 and subsequent financial years, each billing authority shall, in accordance with this Part, levy and collect a tax, to be called council tax, which shall be payable in respect of dwellings situated in its area.

^{F1}(2) In this Part “billing authority” means—

- (a) in relation to England, a district council or London borough council, the Common Council or the Council of the Isles of Scilly, and
- (b) in relation to Wales, a county council or county borough council.]

(3) For the purposes of this Part the Secretary of State may make regulations containing rules for treating a dwelling as situated in a billing authority’s area if part only of the dwelling falls within the area.

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Textual Amendments

F1 S. 1(2) substituted (3.4.1995 subject to art. 6(2) of the commencing S.I.) by 1994 c. 19, s. 35(5) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, arts. 6(1)(2)

Modifications etc. (not altering text)

C7 S. 1(3) modified (W.) (1.7.1999) by S.I. 1999/672, art. 5, Sch. 2

2 Liability to tax determined on a daily basis. **E+W**

- (1) Liability to pay council tax shall be determined on a daily basis.
- (2) For the purposes of determining for any day—
- whether any property is a chargeable dwelling;
 - which valuation band is shown in the billing authority's valuation list as applicable to any chargeable dwelling;
 - the person liable to pay council tax in respect of any such dwelling; or
 - whether any amount of council tax is subject to a discount and (if so) the amount of the discount,
- it shall be assumed that any state of affairs subsisting at the end of the day had subsisted throughout the day.

Chargeable dwellings

3 Meaning of "dwelling". **E+W**

- (1) This section has effect for determining what is a dwelling for the purposes of this Part.
- (2) Subject to the following provisions of this section, a dwelling is any property which—
- by virtue of the definition of hereditament in section 115(1) of the ^{M1}General Rate Act 1967, would have been a hereditament for the purposes of that Act if that Act remained in force; and
 - is not for the time being shown or required to be shown in a local or a central non-domestic rating list in force at that time; and
 - is not for the time being exempt from local non-domestic rating for the purposes of Part III of the ^{M2}Local Government Finance Act 1988 ("the 1988 Act");
- and in applying paragraphs (b) and (c) above no account shall be taken of any rules as to Crown exemption.
- (3) A hereditament which—
- is a composite hereditament for the purposes of Part III of the 1988 Act; and
 - would still be such a hereditament if paragraphs (b) to (d) of section 66(1) of that Act (domestic property) were omitted,
- is also, subject to subsection (6) below, a dwelling for the purposes of this Part.
- (4) Subject to subsection (6) below, none of the following property, namely—
- a yard, garden, outhouse or other appurtenance belonging to or enjoyed with property used wholly for the purposes of living accommodation; or

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- (b) a private garage which either has a floor area of not more than 25 square metres or is used wholly or mainly for the accommodation of a private motor vehicle; or
- (c) private storage premises used wholly or mainly for the storage of articles of domestic use,

is a dwelling except in so far as it forms part of a larger property which is itself a dwelling by virtue of subsection (2) above.

[^{F2}(4A) Subject to subsection (6) below, domestic property falling within section 66(1A) of the 1988 Act is not a dwelling except in so far as it forms part of a larger property which is itself a dwelling by virtue of subsection (2) above.]

- (5) The Secretary of State may by order provide that in such cases as may be prescribed by or determined under the order—
 - (a) anything which would (apart from the order) be one dwelling shall be treated as two or more dwellings; and
 - (b) anything which would (apart from the order) be two or more dwellings shall be treated as one dwelling.
- (6) The Secretary of State may by order amend any definition of “dwelling” which is for the time being effective for the purposes of this Part.

Textual Amendments

F2 S. 3(4A) inserted (E.) (1.4.2013) by [The Non-Domestic Rating and Council Tax \(Definition of Domestic Property and Dwelling\) \(England\) Order 2013 \(S.I. 2013/468\)](#), arts. 1(1), 3

Marginal Citations

M1 1967 c. 9.

M2 1988 c. 41.

4 Dwellings chargeable to council tax. **E+W**

- (1) Council tax shall be payable in respect of any dwelling which is not an exempt dwelling.
- (2) In this Chapter—
 - “chargeable dwelling” means any dwelling in respect of which council tax is payable;
 - “exempt dwelling” means any dwelling of a class prescribed by an order made by the Secretary of State.
- (3) For the purposes of subsection (2) above, a class of dwellings may be prescribed by reference to such factors as the Secretary of State sees fit.
- (4) Without prejudice to the generality of subsection (3) above, a class of dwellings may be prescribed by reference to one or more of the following factors—
 - (a) the physical characteristics of dwellings;
 - (b) the fact that dwellings are unoccupied or are occupied for prescribed purposes or are occupied or owned by persons of prescribed descriptions.

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5 Different amounts for dwellings in different valuation bands. **E+W**

- (1) The amounts of council tax payable in respect of dwellings situated in the same billing authority's area (or the same part of such an area) and listed in different valuation bands shall be in the proportion—

6: 7: 8: 9: 11: 13: 15: 18

where 6 is for dwellings listed in valuation band A, 7 is for dwellings listed in valuation band B, and so on.

- [^{F3}(1A) For the purposes of the application of subsection (1) to dwellings situated in Wales, for the purposes of financial years beginning on or after 1st April 2005, for the proportion specified in that subsection there is substituted the following proportion:

6: 7: 8: 9: 11: 13: 15: 18: 21]

- (2) The valuation bands for dwellings in England are set out in the following Table—

<i>Range of values</i>	<i>Valuation band</i>
Values not exceeding £40,000	A
Values exceeding £40,000 but not exceeding £52,000	B
Values exceeding £52,000 but not exceeding £68,000	C
Values exceeding £68,000 but not exceeding £88,000	D
Values exceeding £88,000 but not exceeding £120,000	E
Values exceeding £120,000 but not exceeding £160,000	F
Values exceeding £160,000 but not exceeding £320,000	G
Values exceeding £320,000	H

- (3) The valuation bands for dwellings in Wales are set out in the following Table—

[^{F4} Range of values	Valuation band
Values not exceeding £44,000	A
Values exceeding £44,000 but not exceeding £65,000	B
Values exceeding £65,000 but not exceeding £91,000	C
Values exceeding £91,000 but not exceeding £123,000	D
Values exceeding £123,000 but not exceeding £162,000	E

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Values exceeding £162,000 but not exceeding £223,000	F
Values exceeding £223,000 but not exceeding £324,000	G
Values exceeding £324,000 but not exceeding £424,000	H
Values exceeding £424,000	I]

(4) The Secretary of State may by order, as regards financial years beginning on or after such date as is specified in the order—

- (a) substitute another proportion for that which is for the time being effective for the purposes of subsection (1) above;
- (b) substitute other valuation bands for those which are for the time being effective for the purposes of subsection (2) or (3) above.

[^{F5}(4A) The power under subsection (4)(b) above includes power to make provision for a different number of valuation bands from those which are for the time being effective for the purposes of subsection (2) or (3) above.]

(5) No order under subsection (4) above shall be made unless a draft of the order has been laid before and approved by resolution of the House of Commons.

(6) Any reference in this Part to dwellings listed in a particular valuation band shall be construed as a reference to dwellings to which that valuation band is shown as applicable in the billing authority's valuation list.

Textual Amendments

- F3** S. 5(1A) inserted (W.) (30.11.2003) by [The Council Tax \(Valuation Bands\) \(Wales\) Order 2003 \(S.I. 2003/3046\)](#), [art. 2\(2\)](#)
- F4** S. 5(3): table substituted (W.) (30.11.2003 as regards financial years beginning on or after 1.4.2005) by [The Council Tax \(Valuation Bands\) \(Wales\) Order 2003 \(S.I. 2003/3046\)](#), [art. 2\(3\)](#)
- F5** S. 5(4A) inserted (18.11.2003) by [Local Government Act 2003 \(c. 26\)](#), [ss. 78, 128](#)

Liability to tax

6 Persons liable to pay council tax. E+W

(1) The person who is liable to pay council tax in respect of any chargeable dwelling and any day is the person who falls within the first paragraph of subsection (2) below to apply, taking paragraph (a) of that subsection first, paragraph (b) next, and so on.

(2) A person falls within this subsection in relation to any chargeable dwelling and any day if, on that day—

- (a) he is a resident of the dwelling and has a freehold interest in the whole or any part of it;
- (b) he is such a resident and has a leasehold interest in the whole or any part of the dwelling which is not inferior to another such interest held by another such resident;

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- (c) he is both such a resident and a statutory [^{F6}, secure or introductory tenant]of the whole or any part of the dwelling;
 - [^{F7}(ca) in the case of a dwelling in Wales, the person is both such a resident and has a tenancy of the whole or any part of the dwelling which is a secure contract or an introductory standard contract;]
 - (d) he is such a resident and has a contractual licence to occupy the whole or any part of the dwelling;
 - (e) he is such a resident; or
 - (f) he is the owner of the dwelling.
- (3) Where, in relation to any chargeable dwelling and any day, two or more persons fall within the first paragraph of subsection (2) above to apply, they shall each be jointly and severally liable to pay the council tax in respect of the dwelling and that day.
- (4) Subsection (3) above shall not apply as respects any day on which one or more of the persons there mentioned fall to be disregarded for the purposes of discount by virtue of [^{F8}paragraph 2 (severely mentally impaired) or 4 (students etc.) of Schedule 1 to this Act] and one or more of them do not; and liability to pay the council tax in respect of the dwelling and that day shall be determined as follows—
- (a) if only one of those persons does not fall to be so disregarded, he shall be solely liable;
 - (b) if two or more of those persons do not fall to be so disregarded, they shall each be jointly and severally liable.
- [^{F9}(4A) Subsection (3) also does not apply in relation to a chargeable dwelling in Wales as respects any day on which one or more of the persons mentioned fall to be disregarded for the purposes of discount for a relevant reason and one or more of them do not; and liability to pay the council tax in respect of the dwelling and that day is determined as follows—
- (a) if only one of those persons does not fall to be so disregarded, that person is solely liable;
 - (b) if two or more of those persons do not fall to be so disregarded, they are each jointly and severally liable.
- (4B) For the purposes of subsection (4A), a person falls to be disregarded for the purposes of discount for a relevant reason if that person falls within, and meets the conditions prescribed in, Class G (care leavers) as prescribed in regulation 5(7) of the Council Tax (Additional Provisions for Discount Disregards) Regulations 1992 (S.I. 1992/552).]
- (5) In this Part, unless the context otherwise requires—
- “owner”, in relation to any dwelling, means the person as regards whom the following conditions are fulfilled—
- (a) he has a material interest in the whole or any part of the dwelling; and
 - (b) at least part of the dwelling or, as the case may be, of the part concerned is not subject to a material interest inferior to his interest;
- “resident”, in relation to any dwelling, means an individual who has attained the age of 18 years and has his sole or main residence in the dwelling.
- (6) In this section—
- [^{F10}“introductory standard contract” has the same meaning as in the Renting Homes (Wales) Act 2016 (anaw 1) (see section 16 of that Act);]

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[^{F11}“introductory tenant” means a tenant under an introductory tenancy within the meaning of Chapter I of Part V of the Housing Act 1996;]

“material interest” means a freehold interest or a leasehold interest which was granted for a term of six months or more;

[^{F10}“secure contract” has the same meaning as in the Renting Homes (Wales) Act 2016 (see section 8 of that Act);]

“secure tenant” means a tenant under a secure tenancy within the meaning of Part IV of the ^{M3}Housing Act 1985;

“statutory tenant” means a statutory tenant within the meaning of the ^{M4}Rent Act 1977 or the ^{M5}Rent (Agriculture) Act 1976.

Textual Amendments

- F6** Words in s. 6(2)(c) substituted (12.7.1997) by S.I. 1997/74, art. 2, **Sch. para. 8(a)**
- F7** S. 6(2)(ca) inserted (1.12.2022) by The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022 (S.I. 2022/1166), regs. 1(1), **20(2)**
- F8** Words in s. 6(4) substituted (18.11.2003) by Local Government Act 2003 (c. 26), **ss. 74(1)**, 128 (with effect as mentioned in s. 74(3))
- F9** S. 6(4A)(4B) inserted (1.4.2022) by The Council Tax (Joint and Several Liability of Care Leavers) (Wales) Regulations 2022 (S.I. 2022/210), regs. 1(2), **2(2)**
- F10** Words in s. 6(6) inserted (1.12.2022) by The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022 (S.I. 2022/1166), regs. 1(1), **20(3)**
- F11** Definition of “introductory tenant” inserted in s. 6(6) (12.7.1997) by S.I. 1997/74, art. 2, **Sch. para. 8(b)**

Marginal Citations

- M3** 1985 c. 68.
M4 1977 c. 42.
M5 1976 c. 80.

7 Liability in respect of caravans and boats. **E+W**

- (1) Subsections (2) to (4) below shall have effect in substitution for section 6 above in relation to any chargeable dwelling which consists of a pitch occupied by a caravan, or a mooring occupied by a boat.
- (2) Where on any day the owner of the caravan or boat is not, but some other person is, a resident of the dwelling, that other person shall be liable to pay the council tax in respect of the dwelling and that day.
- (3) Where on any day subsection (2) above does not apply, the owner of the caravan or boat shall be liable to pay the council tax in respect of the dwelling and that day.
- (4) Where on any day two or more persons fall within subsection (2) or (3) above, they shall each be jointly and severally liable to pay the council tax in respect of the dwelling and that day.
- (5) [^{F12}Subsections (4) and (4A)] of section 6 above shall apply for the purposes of subsection (4) above as [^{F12}they apply] for the purposes of subsection (3) of that section.
- (6) In this section “caravan” shall be construed in accordance with Part I of the ^{M6}Caravan Sites and Control of Development Act 1960.

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- (7) Any reference in this section to the owner of a caravan or boat shall be construed—
- (a) in relation to a caravan or boat which is subject to an agreement for hire-purchase or conditional sale, as a reference to the person in possession under the agreement;
 - (b) in relation to a caravan or boat which is subject to a bill of sale or mortgage, as a reference to the person entitled to the property in it apart from the bill or mortgage.

Textual Amendments

F12 Words in s. 7(5) substituted (1.4.2022) by [The Council Tax \(Joint and Several Liability of Care Leavers\) \(Wales\) Regulations 2022 \(S.I. 2022/210\)](#), regs. 1(2), **2(3)**

Marginal Citations

M6 1960 c. 62.

8 Liability in prescribed cases. **E+W**

- (1) Subsections (3) and (4) below shall have effect in substitution for section 6 or (as the case may be) section 7 above in relation to any chargeable dwelling of a class prescribed for the purposes of this subsection.
- (2) Subsections (3) and (4) below shall have effect in substitution for section 6 or (as the case may be) section 7 above in relation to any chargeable dwelling of a class prescribed for the purposes of this subsection, if the billing authority so determines in relation to all dwellings of that class which are situated in its area.
- (3) Where on any day this subsection has effect in relation to a dwelling, the owner of the dwelling shall be liable to pay the council tax in respect of the dwelling and that day.
- (4) Where on any day two or more persons fall within subsection (3) above, they shall each be jointly and severally liable to pay the council tax in respect of the dwelling and that day.
- (5) [^{F13}Subsections (4) and (4A)] of section 6 above shall apply for the purposes of subsection (4) above as [^{F13}they apply] for the purposes of subsection (3) of that section.
- (6) Regulations prescribing a class of chargeable dwellings for the purposes of subsection (1) or (2) above may provide that, in relation to any dwelling of that class, subsection (3) above shall have effect as if for the reference to the owner of the dwelling there were substituted a reference to the person falling within such description as may be prescribed.
- (7) Subsections (3) and (4) of section 4 above shall apply for the purposes of subsections (1) and (2) above as they apply for the purposes of subsection (2) of that section.

Textual Amendments

F13 Words in s. 8(5) substituted (1.4.2022) by [The Council Tax \(Joint and Several Liability of Care Leavers\) \(Wales\) Regulations 2022 \(S.I. 2022/210\)](#), regs. 1(2), **2(4)**

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Modifications etc. (not altering text)

C8 S. 8(3) modified (31.3.1992) by [S.I. 1992/551](#), [art.3](#).

9 Liability of spouses. **E+W**

(1) Where—

- (a) a person who is liable to pay council tax in respect of any chargeable dwelling of which he is a resident and any day is married to ^[F14], or is the civil partner of,] another person; and
- (b) that other person is also a resident of the dwelling on that day but would not, apart from this section, be so liable,

those persons shall each be jointly and severally liable to pay the council tax in respect of the dwelling and that day.

(2) Subsection (1) above shall not apply as respects any day on which the other person there mentioned falls to be disregarded for the purposes of discount by virtue of ^[F15] paragraph 2 (the severely mentally impaired) or 4 (students etc.) of Schedule 1 to this Act].

^[F16](2A) Subsection (1) also does not apply in relation to a chargeable dwelling in Wales as respects any day on which the other person mentioned falls to be disregarded for the purposes of discount by virtue of falling within, and meeting the conditions prescribed in, Class G (care leavers) as prescribed in regulation 5(7) of the Council Tax (Additional Provisions for Discount Disregards) Regulations 1992 ([S.I. 1992/552](#)).]

^[F17](3) For the purposes of this section, two persons are to be treated as married to, or civil partners of, each other if they are living together as if they were a married couple or civil partners.]

Textual Amendments

F14 Words in s. 9(1)(a) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 261(1), 263, [Sch. 27 para. 140\(1\)](#); [S.I. 2005/3175](#), [art. 2](#)

F15 Words in s. 9(2) substituted (18.11.2003) by [Local Government Act 2003 \(c. 26\)](#), ss. 74(2), 128 (with effect as mentioned in s. 74(3))

F16 [S. 9\(2A\)](#) inserted (1.4.2022) by [The Council Tax \(Joint and Several Liability of Care Leavers\) \(Wales\) Regulations 2022 \(S.I. 2022/210\)](#), regs. 1(2), [2\(5\)](#)

F17 [S. 9\(3\)](#) substituted for [s. 9\(3\)\(4\)](#) (2.12.2019) by [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), reg. 1(2), [Sch. 3 para. 16](#)

Amounts of tax payable

10 Basic amounts payable. **E+W**

(1) Subject to sections 11 to ^[F18]13A] below, a person who is liable to pay council tax in respect of any chargeable dwelling and any day shall, as respects the dwelling and the day, pay to the billing authority for the area in which the dwelling is situated an amount calculated in accordance with the formula—

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$$\frac{A}{D}$$

where—

A is the amount which, for the financial year in which the day falls and for dwellings in the valuation band listed for the dwelling, has been set by the authority for its area or (as the case may be) the part of its area in which the dwelling is situated;

D is the number of days in the financial year.

- (2) For the purposes of this Part the Secretary of State may make regulations containing rules for ascertaining in what part of a billing authority's area a dwelling is situated (whether situated in the area in fact or by virtue of regulations made under section 1(3) above).

Textual Amendments

F18 Word in s. 10(1) substituted (31.10.2012) by [Local Government Finance Act 2012 \(c. 17\)](#), [Sch. 4 para. 4](#)

11 Discounts. **E+W**

- (1) The amount of council tax payable in respect of any chargeable dwelling and any day shall be subject to a discount equal to the appropriate percentage of that amount if on that day—
- there is only one resident of the dwelling and he does not fall to be disregarded for the purposes of discount; or
 - there are two or more residents of the dwelling and each of them except one falls to be disregarded for those purposes.
- (2) Subject to ^{F19}sections 11A^{F20}, 11B^{F21}, 11C^{F22}, 12, 12A and 12B^{F22} below, the amount of council tax payable in respect of any chargeable dwelling and any day shall be subject to a discount equal to twice the appropriate percentage of that amount if on that day—
- there is no resident of the dwelling; or
 - there are one or more residents of the dwelling and each of them falls to be disregarded for the purposes of discount.
- (3) In this section ^{F23} . . . “the appropriate percentage” means 25 per cent. or, if the Secretary of State by order so provides in relation to the financial year in which the day falls, such other percentage as is specified in the order.
- (4) No order under subsection (3) above shall be made unless a draft of the order has been laid before and approved by resolution of the House of Commons.
- (5) Schedule 1 to this Act shall have effect for determining who shall be disregarded for the purposes of discount.

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Textual Amendments

- F19** Words in s. 11(2) substituted (18.11.2003) by [Local Government Act 2003 \(c. 26\)](#), ss. 127(1), 128, [Sch. 7 para. 41](#)
- F20** Word in s. 11(2) inserted (31.10.2012) by [Local Government Finance Act 2012 \(c. 17\)](#), s. 12(3)
- F21** Word in s. 11(2) inserted (26.10.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), ss. 80(3)(a), 255(2)(q) (with s. 247)
- F22** Words in s. 11(2) substituted (16.12.2015 for specified purposes, 1.4.2016 in so far as not already in force) by [Housing \(Wales\) Act 2014 \(anaw 7\)](#), s. 145(3), [Sch. 3 para. 29\(2\)](#); S.I. 2015/2046, art. 2
- F23** Words in s. 11(3) repealed (18.11.2003 for E. and 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\)](#), ss. 127(2), 128, [Sch. 8 Pt. 1](#); S.I. 2003/2938, art. 3 (subject to art. 8); S.I. 2003/3034, art. 2(1)(4), Sch. 1 Pt. 1

[^{F24}11A Discounts: special provision for England **E+W**

- (1) The Secretary of State may for any financial year by regulations prescribe one or more classes of dwelling in England for the purposes of subsection (3)[^{F25}, (4) or (4A)] below.
- (2) A class of dwellings may be prescribed under subsection (1) above by reference to such factors as the Secretary of State sees fit and may, in particular, be prescribed by reference to—
 - (a) the physical characteristics of dwellings, or
 - (b) the fact that dwellings are unoccupied.
- (3) For any financial year for which a class of dwellings is prescribed for the purposes of this subsection, a billing authority in England may by determination provide in relation to all dwellings of that class in its area, or in such part of its area as it may specify in the determination, that the discount under section 11(2)(a) shall be such lesser percentage of at least 10 as it may so specify.
- (4) For any financial year for which a class of dwellings is prescribed for the purposes of this subsection, a billing authority in England may by determination provide in relation to all dwellings of that class in its area, or in such part of its area as it may specify in the determination—
 - (a) that the discount under section 11(2)(a) above shall not apply, or
 - (b) that the discount under that provision shall be such lesser percentage as it may so specify.

[For any financial year for which a class of dwellings is prescribed for the purposes of ^{F26}(4A) this subsection, a billing authority in England may by determination provide—

- (a) in relation to all dwellings of that class in its area, or
- (b) in relation to such description of dwellings of that class as it may specify in the determination,

that the discount under section 11(2)(a) shall not apply or shall be such percentage (which may be 100) as it may so specify.

- (4B) Where a class of dwellings is prescribed for the purposes of subsection (4A) by reference to the period of time for which a condition is met, a billing authority may not, under paragraph (b) of that subsection, specify a description of dwellings of that class by reference (wholly or partly) to a shorter such period.]

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[Subsections (3), (4) and (4A) are subject to section 11B(4) ^{F28} and 11C(5)].
^{F27}(4C)

- (5) A billing authority may make a determination varying or revoking a determination under subsection (3) ^{F29}, (4) or (4A)] for a financial year, but only before the beginning of the year.
- (6) A billing authority which makes a determination under this section shall publish a notice of it in at least one newspaper circulating in its area and do so before the end of the period of 21 days beginning with the date of the determination.
- (7) Failure to comply with subsection (6) above shall not affect the validity of a determination.]

Textual Amendments

- F24** S. 11A inserted (18.11.2003) by [Local Government Act 2003 \(c. 26\), s. 75\(1\)](#)
- F25** Words in s. 11A(1) substituted (31.10.2012) by [Local Government Finance Act 2012 \(c. 17\), s. 11\(2\)](#)
- F26** S. 11A(4A)(4B) inserted (31.10.2012) by [Local Government Finance Act 2012 \(c. 17\), s. 11\(1\)](#)
- F27** S. 11A(4C) inserted (31.10.2012) by [Local Government Finance Act 2012 \(c. 17\), s. 12\(4\)](#)
- F28** Words in s. 11A(4C) inserted (26.10.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\), ss. 80\(3\)\(b\), 255\(2\)\(q\)](#) (with s. 247)
- F29** Words in s. 11A(5) substituted (31.10.2012) by [Local Government Finance Act 2012 \(c. 17\), s. 11\(2\)](#)

^{F30}11B Higher amount for long-term empty dwellings: England E+W

- (1) For any financial year, a billing authority in England may by determination provide in relation to its area, or such part of its area as it may specify in the determination, that if on any day a dwelling is a long-term empty dwelling—
 - (a) the discount under section 11(2)(a) shall not apply, and
 - (b) the amount of council tax payable in respect of that dwelling and that day ^{F31}(“the relevant day”)] shall be increased by such percentage of not more than ^{F32}the relevant maximum] as it may so specify.

[For the financial year beginning on 1 April 2019 the “relevant maximum” is 100.
^{F33}(1A)

- (1B) For the financial year beginning on 1 April 2020 the “relevant maximum” is—
 - (a) in respect of any dwelling where the period mentioned in subsection (8) ending on the relevant day is less than 5 years, 100;
 - (b) in respect of any dwelling where the period mentioned in subsection (8) ending on the relevant day is at least 5 years, 200.
- (1C) For financial years beginning on or after 1 April 2021 the “relevant maximum” is—
 - (a) in respect of any dwelling where the period mentioned in subsection (8) ending on the relevant day is less than 5 years, 100;
 - (b) in respect of any dwelling where the period mentioned in subsection (8) ending on the relevant day is at least 5 years but less than 10 years, 200;
 - (c) in respect of any dwelling where the period mentioned in subsection (8) ending on the relevant day is at least 10 years, 300.]

Changes to legislation: Local Government Finance Act 1992, Chapter 1 is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

[In exercising its functions under this section a billing authority must have regard to ^{F34}(1D) any guidance issued by the Secretary of State.]

- (2) The Secretary of State may by regulations prescribe one or more classes of dwelling in relation to which a billing authority may not make a determination under this section.
- (3) A class of dwellings may be prescribed under subsection (2) by reference to such factors as the Secretary of State thinks fit and may, in particular, be prescribed by reference to—
 - (a) the physical characteristics of, or other matters relating to, dwellings;
 - (b) the circumstances of, or other matters relating to, any person who is liable to the amount of council tax concerned.
- (4) Where a determination under this section has effect in relation to a class of dwellings—
 - (a) the billing authority may not make a determination under section 11A(3), (4) or (4A) in relation to that class, and
 - (b) any determination that has been made under section 11A(3), (4) or (4A) ceases to have effect in relation to that class.
- (5) A billing authority may make a determination varying or revoking a determination under this section for a financial year, but only before the beginning of the year.
- (6) A billing authority which makes a determination under this section must publish a notice of it in at least one newspaper circulating in its area and do so before the end of the period of 21 days beginning with the date of the determination.
- (7) Failure to comply with subsection (6) does not affect the validity of a determination.
- (8) For the purposes of this section, a dwelling is a “long-term empty dwelling” on any day if for a continuous period of at least [^{F35}1 year] ending with that day—
 - (a) it has been unoccupied, and
 - (b) it has been substantially unfurnished.
- (9) In determining whether a dwelling is a long-term empty dwelling, no account is to be taken of any one or more periods of not more than 6 weeks during which either of the conditions in subsection (8)(a) and (b) is not met (or neither of them is met).
- (10) The Secretary of State may by regulations substitute a different period, of not less than 6 weeks, for the period which is for the time being specified in subsection (9).]

Textual Amendments

- F30** S. 11B inserted (31.10.2012) by [Local Government Finance Act 2012 \(c. 17\), s. 12\(2\)](#) (with s. 12(15))
- F31** Words in s. 11B(1)(b) inserted (1.11.2018 with effect in accordance with s. 2(4)(5) of the amending Act) by [Rating \(Property in Common Occupation\) and Council Tax \(Empty Dwellings\) Act 2018 \(c. 25\), s. 2\(2\)\(a\)](#)
- F32** Words in s. 11B(1)(b) substituted (1.11.2018 with effect in accordance with s. 2(4)(5) of the amending Act) by [Rating \(Property in Common Occupation\) and Council Tax \(Empty Dwellings\) Act 2018 \(c. 25\), s. 2\(2\)\(b\)](#)
- F33** S. 11B(1A)-(1C) inserted (1.11.2018 with effect in accordance with s. 2(4)(5) of the amending Act) by [Rating \(Property in Common Occupation\) and Council Tax \(Empty Dwellings\) Act 2018 \(c. 25\), s. 2\(3\)](#)
- F34** S. 11B(1D) inserted (26.10.2023 with effect in accordance with ss. 79(2) of the amending Act) by [Levelling-up and Regeneration Act 2023 \(c. 55\), ss. 79\(1\)\(a\), 255\(2\)\(q\)](#) (with s. 247)

Changes to legislation: Local Government Finance Act 1992, Chapter 1 is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F35 Words in s. 11B(8) substituted (26.10.2023 with effect in accordance with ss. 79(2) of the amending Act) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. 79(1)(b), 255(2)(q)** (with s. 247)

^{F36} 11C Higher amount for dwellings occupied periodically: England **E+W**

- (1) For any financial year, a billing authority in England may by determination provide in relation to its area, or such part of its area as it may specify in the determination, that if on any day the conditions mentioned in [subsection \(2\)](#) are satisfied in respect of a dwelling—
 - (a) the discount under section 11(2)(a) does not apply, and
 - (b) the amount of council tax payable in respect of that dwelling and that day is increased by such percentage of not more than 100 as it may specify in the determination.
- (2) The conditions are—
 - (a) there is no resident of the dwelling, and
 - (b) the dwelling is substantially furnished.
- (3) A billing authority's first determination under this section must be made at least one year before the beginning of the financial year to which it relates.
- (4) In exercising its functions under this section a billing authority must have regard to any guidance issued by the Secretary of State.
- (5) Where a determination under this section has effect in relation to a class of dwellings—
 - (a) the billing authority may not make a determination under section 11A(3), (4) or (4A) in relation to that class, and
 - (b) any determination that has been made under section 11A(3), (4) or (4A) ceases to have effect in relation to that class.
- (6) A billing authority may make a determination varying or revoking a determination under this section for a financial year, but only before the beginning of the year.
- (7) Where a billing authority makes a determination under this section it must publish a notice of the determination in at least one newspaper circulating in the area.
- (8) The notice must be published before the end of the period of 21 days beginning with the date of the determination.
- (9) The validity of the determination is not affected by a failure to comply with [subsection \(7\)](#) or [\(8\)](#).

Textual Amendments

F36 [Ss. 11C, 11D](#) inserted (26.10.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. 80(2), 255(2)(q)** (with [ss. 80\(4\), 247](#))

11D Section 11C: regulations **E+W**

- (1) The Secretary of State may by regulations prescribe one or more classes of dwelling in relation to which a billing authority may not make a determination under [section 11C](#).

Changes to legislation: Local Government Finance Act 1992, Chapter 1 is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (2) A class of dwellings may be prescribed under [subsection \(1\)](#) by reference to such factors as the Secretary of State thinks fit and may, amongst other factors, be prescribed by reference to—
 - (a) the physical characteristics of, or other matters relating to, dwellings;
 - (b) the circumstances of, or other matters relating to, any person who is liable to the amount of council tax concerned.
- (3) The Secretary of State may by regulations specify a different percentage limit for the limit which is for the time being specified in [section 11C\(1\)\(b\)](#).
- (4) A statutory instrument containing regulations made under [subsection \(3\)](#) may not be made unless a draft of the instrument has been approved by resolution of the House of Commons.]

Textual Amendments

F36 Ss. 11C, 11D inserted (26.10.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), ss. [80\(2\)](#), [255\(2\)\(q\)](#) (with ss. [80\(4\)](#), [247](#))

[^{F37}12 Discounts: special provision for Wales. **E+W**

- (1) The National Assembly for Wales may for any financial year by regulations prescribe one or more classes of dwelling in Wales for the purposes of subsection (3) or (4) below.
- (2) A class of dwellings may be prescribed under subsection (1) above by reference to such factors as the Assembly sees fit and may, in particular, be prescribed by reference to—
 - (a) the physical characteristics of dwellings, or
 - (b) the fact that dwellings are unoccupied.
- (3) For any financial year for which a class of dwellings is prescribed for the purposes of this subsection, a billing authority in Wales may by determination provide in relation to all dwellings of that class in its area, or in such part of its area as it may specify in the determination, that the discount under section 11(2)(a) shall be such lesser percentage of at least 10 as it may so specify.
- (4) For any financial year for which a class of dwellings is prescribed for the purposes of this subsection, a billing authority in Wales may by determination provide in relation to all dwellings of that class in its area, or in such part of its area as it may specify in the determination—
 - (a) that the discount under section 11(2)(a) above shall not apply, or
 - (b) that the discount under that provision shall be such lesser percentage as it may so specify.

[^{F38}(4A) Subsections (3) and (4) are subject to section 12A(6) and 12B(7).]

- (5) A billing authority may make a determination varying or revoking a determination under subsection (3) or (4) for a financial year, but only before the beginning of the year.

Changes to legislation: Local Government Finance Act 1992, Chapter 1 is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (6) A billing authority which makes a determination under this section shall publish a notice of it in at least one newspaper circulating in its area and do so before the end of the period of 21 days beginning with the date of the determination.
- (7) Failure to comply with subsection (6) above shall not affect the validity of a determination.]

Textual Amendments

- F37** S. 12 substituted (27.11.2003) by Local Government Act 2003 (c. 26), ss. 75(2), 128; S.I. 2003/3034, art. 2(1)(4), Sch. 1 Pt. 1
- F38** S. 12(4A) inserted (16.12.2015 for specified purposes, 1.4.2016 in so far as not already in force) by Housing (Wales) Act 2014 (anaw 7), s. 145(3), Sch. 3 para. 29(3); S.I. 2015/2046, art. 2

[^{F39}12A Higher amount for long-term empty dwellings: Wales **E+W**

- (1) For any financial year, a billing authority in Wales may by determination provide in relation to its area that if on any day a dwelling is a long-term empty dwelling—
- (a) the discount under section 11(2)(a) does not apply, and
 - (b) the amount of council tax payable in respect of that dwelling and that day is increased by such percentage of not more than [^{F40}300] as it may specify in the determination.
- (2) A billing authority may specify different percentages for different dwellings based on the length of time for which they have been long-term empty dwellings.
- (3) In exercising its functions under this section a billing authority must have regard to any guidance issued by the Welsh Ministers.
- (4) The Welsh Ministers may, by regulations, prescribe one or more classes of dwelling in relation to which a billing authority may not make a determination under this section.
- (5) A class of dwellings may be prescribed under subsection (4) by reference to such factors as the Welsh Ministers think fit and may, amongst other factors, be prescribed by reference to—
- (a) the physical characteristics of, or other matters relating to, dwellings;
 - (b) the circumstances of, or other matters relating to, any person who is liable to the amount of council tax concerned.
- (6) Where a determination under this section has effect in relation to a class of dwellings—
- (a) the billing authority may not make a determination under section 12(3) or (4) in relation to that class, and
 - (b) any determination that has been made under section 12(3) or (4) ceases to have effect in relation to that class.
- (7) A billing authority may make a determination varying or revoking a determination under this section for a financial year, but only before the beginning of the year.
- (8) Where a billing authority makes a determination under this section it must publish a notice of the determination in at least one newspaper circulating in its area.
- (9) The notice must be published before the end of the period of 21 days beginning with the date of the determination.

Changes to legislation: Local Government Finance Act 1992, Chapter 1 is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (10) The validity of a determination is not affected by a failure to comply with subsection (8) or (9).
- (11) For the purposes of this section, a dwelling is a “long-term empty dwelling” on any day if for a continuous period of at least 1 year ending with that day—
- (a) it has been unoccupied, and
 - (b) it has been substantially unfurnished.
- (12) In determining whether a dwelling is a long-term empty dwelling, no account is to be taken of—
- (a) any period which pre-dates the coming into force of this section;
 - (b) any one or more periods of not more than 6 weeks during which one or both of the conditions in subsection (11) are not met.
- (13) The Welsh Ministers may by regulations—
- (a) substitute a different percentage limit for the limit which is for the time being specified in subsection (1)(b);
 - (b) substitute a different period, of not less than 1 year, for the period which is for the time being specified in subsection (11);
 - (c) substitute a different period, of not less than 6 weeks, for the period which is for the time being specified in subsection (12)(b).
- (14) A statutory instrument containing regulations made under subsection (13)(a) or (b) may not be made unless a draft of the instrument has been laid before, and approved by resolution of, the National Assembly for Wales.
- (15) Any other statutory instrument containing regulations made under this section is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

Textual Amendments

- F39** Ss. 12A, 12B inserted (16.12.2015 for the insertion of s. 12B, 1.4.2016 for the insertion of s. 12A) by [Housing \(Wales\) Act 2014 \(anaw 7\)](#), **ss. 139(2)**, 145(3); S.I. 2015/2046, art. 2
- F40** Word in s. 12A(1)(b) substituted (1.4.2022) by [The Council Tax \(Long-term Empty Dwellings and Dwellings Occupied Periodically\) \(Wales\) Regulations 2022 \(S.I. 2022/370\)](#), regs. 1(2), 2 (with reg. 3)

12B Higher amount for dwellings occupied periodically: Wales **E+W**

- (1) For any financial year, a billing authority in Wales may by determination provide in relation to its area that if on any day the conditions mentioned in subsection (2) are satisfied in respect of a dwelling—
- (a) the discount under section 11(2)(a) does not apply, and
 - (b) the amount of council tax payable in respect of that dwelling and that day is increased by such percentage of not more than [F41300] as it may specify in the determination.
- (2) The conditions are—
- (a) there is no resident of the dwelling, and
 - (b) the dwelling is substantially furnished.
- (3) But a billing authority's first determination under this section must be made at least one year before the beginning of the financial year to which it relates.

Changes to legislation: Local Government Finance Act 1992, Chapter 1 is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (4) In exercising its functions under this section a billing authority must have regard to any guidance issued by the Welsh Ministers.
- (5) The Welsh Ministers may by regulations prescribe one or more classes of dwelling in relation to which a billing authority may not make a determination under this section.
- (6) A class of dwellings may be prescribed under subsection (5) by reference to such factors as the Welsh Ministers think fit and may, amongst other factors, be prescribed by reference to—
 - (a) the physical characteristics of, or other matters relating to, dwellings;
 - (b) the circumstances of, or other matters relating to, any person who is liable to the amount of council tax concerned.
- (7) Where a determination under this section has effect in relation to a class of dwellings—
 - (a) the billing authority may not make a determination under section 12(3) or (4) in relation to that class, and
 - (b) any determination that has been made under section 12(3) or (4) ceases to have effect in relation to that class.
- (8) A billing authority may make a determination varying or revoking a determination under this section for a financial year, but only before the beginning of the year.
- (9) Where a billing authority makes a determination under this section it must publish a notice of the determination in at least one newspaper circulating in its area.
- (10) The notice must be published before the end of the period of 21 days beginning with the date of the determination.
- (11) The validity of a determination is not affected by a failure to comply with subsection (9) or (10).
- (12) The Welsh Ministers may by regulations specify a different percentage limit for the limit which is for the time being specified in subsection (1)(b).
- (13) A statutory instrument containing regulations made under subsection (12) may not be made unless a draft of the instrument has been laid before, and approved by resolution of, the National Assembly for Wales.
- (14) Any other statutory instrument containing regulations made under this section is subject to annulment in pursuance of a resolution of the National Assembly for Wales.]

Textual Amendments

- F39** Ss. 12A, 12B inserted (16.12.2015 for the insertion of s. 12B, 1.4.2016 for the insertion of s. 12A) by [Housing \(Wales\) Act 2014 \(anaw 7\)](#), **ss. 139(2)**, 145(3); S.I. 2015/2046, art. 2
- F41** Word in s. 12B(1)(b) substituted (1.4.2022) by [The Council Tax \(Long-term Empty Dwellings and Dwellings Occupied Periodically\) \(Wales\) Regulations 2022 \(S.I. 2022/370\)](#), regs. 1(2), **2** (with reg. 3)

13 Reduced amounts. **E+W**

- (1) The Secretary of State may make regulations as regards any case where—
 - (a) a person is liable to pay an amount to a billing authority in respect of council tax for any financial year which is prescribed; and

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- (b) prescribed conditions are fulfilled.
- (2) The regulations may provide that the amount he is liable to pay shall be an amount which—
 - (a) is less than the amount it would be apart from the regulations; and
 - (b) is determined in accordance with prescribed rules.
- (3) This section applies whether the amount mentioned in subsection (1) above is determined under section 10 above or under that section read with section 11 [F42, 11A][F43, 11B][F44, 11C][F45, 12, 12A or 12B] above.
- (4) The conditions mentioned in subsection (1) above may be prescribed by reference to such factors as the Secretary of State thinks fit; and in particular such factors may include the making of an application by the person concerned and all or any of—
 - (a) the factors mentioned in subsection (5) below; or
 - (b) the factors mentioned in subsection (6) below.
- (5) The factors referred to in subsection (4)(a) above are—
 - (a) community charges for a period before 1st April 1993;
 - (b) the circumstances of, or other matters relating to, the person concerned;
 - (c) an amount relating to the authority concerned and specified, or to be specified, for the purposes of the regulations in a report laid, or to be laid, before the House of Commons;
 - (d) such other amounts as may be prescribed or arrived at in a prescribed manner.
- (6) The factors referred to in subsection (4)(b) above are—
 - (a) a disabled person having his sole or main residence in the dwelling concerned;
 - (b) the circumstances of, or other matters relating to, that person;
 - (c) the physical characteristics of, or other matters relating to, that dwelling.
- (7) The rules mentioned in subsection (2) above may be prescribed by reference to such factors as the Secretary of State thinks fit; and in particular such factors may include all or any of the factors mentioned in subsection (5) or subsection (6)(b) or (c) above.
- (8) Without prejudice to the generality of section 113(2) below, regulations under this section may include—
 - (a) provision requiring the Secretary of State to specify in a report, for the purposes of the regulations, an amount in relation to each billing authority;
 - (b) provision requiring him to lay the report before the House of Commons;
 - (c) provision for the review of any prescribed decision of a billing authority relating to the application or operation of the regulations;
 - (d) provision that no appeal may be made to a valuation tribunal in respect of such a decision, notwithstanding section 16(1) below.
- (9) To the extent that he would not have power to do so apart from this subsection, the Secretary of State may—
 - (a) include in regulations under this section such amendments of any social security instrument as he thinks expedient in consequence of the regulations under this section;
 - (b) include in any social security instrument such provision as he thinks expedient in consequence of regulations under this section.
- (10) In subsection (9) above “social security instrument” means

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- [^{F46}(a)] an order or regulations made, or falling to be made, by the Secretary of State under the Social Security Acts, that is to say, the ^{M7}Social Security Contributions and Benefits Act 1992 and the ^{M8}Social Security Administration Act 1992^[F47]; or
- (b) regulations made, or falling to be made, under Part 4 of the Welfare Reform Act 2012.]

Textual Amendments

- F42** Words in s. 13(3) inserted (18.11.2003) by Local Government Act 2003 (c. 26), s. 127(1), **Sch. 7 para. 42**
- F43** Word in s. 13(3) inserted (31.10.2012) by Local Government Finance Act 2012 (c. 17), s. 12(5)
- F44** Word in s. 13(3) inserted (26.10.2023) by Levelling-up and Regeneration Act 2023 (c. 55), **ss. 80(3)(c), 255(2)(q)** (with s. 247)
- F45** Words in s. 13(3) substituted (16.12.2015 for specified purposes, 1.4.2016 in so far as not already in force) by Housing (Wales) Act 2014 (anaw 7), s. 145(3), **Sch. 3 para. 29(4)**; S.I. 2015/2046, art. 2
- F46** Words in s. 13(10) renumbered as s. 13(10)(a) (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 7(2)(a)**
- F47** S. 13(10)(b) and word inserted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 7(2)(b)**

Modifications etc. (not altering text)

- C9** S. 13(5) modified (W.) (7.2.1996) by S.I.1996/56, art. 2(1)
- S. 13(5) modified (E.) (22.2.1996) by S.I. 1996/176, **reg. 4** (as modified by S.I. 1998/214, **reg. 11, Sch. 4**)
- S. 13(5) modified (E.) (25.2.1997) by S.I. 1997/215, **reg. 4** (as modified by S.I. 1998/214, **reg. 11, Sch. 5**)
- S. 13(5) modified (E.) (27.2.1998) by S.I. 1998/214, **reg. 4**
- S. 13(5) modified (26.2.1999) by S.I. 1999/259, **reg. 4**

Marginal Citations

- M7** 1992 c. 4.
- M8** 1992 c. 5.

[^{F48}13A Reductions by billing authority **E+W**

- (1) The amount of council tax which a person is liable to pay in respect of any chargeable dwelling and any day (as determined in accordance with sections 10 to 13)—
- in the case of a dwelling situated in the area of a billing authority in England, is to be reduced to the extent, if any, required by the authority's council tax reduction scheme (see subsection (2));
 - in the case of a dwelling situated in the area of a billing authority in Wales, is to be reduced to the extent, if any, required by any council tax reduction scheme made under regulations under subsection (4) that applies to that dwelling;
 - in any case, may be reduced to such extent (or, if the amount has been reduced under paragraph (a) or (b), such further extent) as the billing authority for the area in which the dwelling is situated thinks fit.

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- (2) Each billing authority in England must make a scheme specifying the reductions which are to apply to amounts of council tax payable, in respect of dwellings situated in its area, by—
 - (a) persons whom the authority considers to be in financial need, or
 - (b) persons in classes consisting of persons whom the authority considers to be, in general, in financial need.
- (3) Schedule 1A (which contains provisions about schemes under subsection (2)) has effect.
- (4) The Welsh Ministers may by regulations—
 - (a) require a person or body specified in the regulations to make a scheme specifying the reductions which are to apply to amounts of council tax payable, in respect of dwellings to which the scheme applies, by persons to whom the scheme applies,
 - (b) impose requirements on that person or body regarding the matters which must be included in that scheme, and
 - (c) make other provision for and in connection with such schemes.
- (5) Schedule 1B (which contains further provisions about regulations under subsection (4) and about schemes under those regulations) has effect.
- (6) The power under subsection (1)(c) includes power to reduce an amount to nil.
- (7) The power under subsection (1)(c) may be exercised in relation to particular cases or by determining a class of case in which liability is to be reduced to an extent provided by the determination.
- (8) No regulations under subsection (4) are to be made unless a draft of the statutory instrument containing them has been laid before, and approved by a resolution of, the National Assembly for Wales.
- (9) In this Part “council tax reduction scheme” means a scheme under subsection (2) or regulations under subsection (4).]

Textual Amendments

F48 S. 13A substituted (31.10.2012) by [Local Government Finance Act 2012 \(c. 17\), s. 10\(1\)](#)

[^{F49}13B Transitional arrangements **E+W**

- (1) The Secretary of State may by regulations make provision for the purpose of smoothing changes in council tax liability resulting from the coming into force in relation to a billing authority in England of—
 - (a) an order under section 5 above, or
 - (b) a list under section 22B below.
- (2) The National Assembly for Wales may by regulations make provision for the purpose of smoothing changes in council tax liability resulting from the coming into force in relation to a billing authority in Wales of—
 - (a) an order under section 5 above, or
 - (b) a list under section 22B below.

Changes to legislation: Local Government Finance Act 1992, Chapter I is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (3) Regulations under this section may, in particular—
- (a) make provision about the circumstances in which changes are to be smoothed;
 - (b) make provision for changes to be smoothed over such one or more financial years as may be specified in the regulations;
 - (c) make provision for liability for any financial year to be determined in accordance with such rules as may be so specified, which may result in liability being the same as or different from what it would otherwise be.
- (4) Without prejudice to section 113(1) below, regulations under this section may make different provision for different financial years.
- (5) To the extent that he would not have power to do so apart from this subsection, the Secretary of State may—
- (a) include in regulations made by him under this section such amendments of any social security instrument as he thinks expedient in consequence of the regulations;
 - (b) include in any social security instrument such provision as he thinks expedient in consequence of regulations under this section.
- (6) In subsection (5) above, “social security instrument” has the meaning given by section 13(10) above.]

Textual Amendments

F49 S. 13B inserted (18.11.2003) by [Local Government Act 2003 \(c. 26\), s. 79](#)

Administration and appeals

14 Administration, penalties and enforcement. E+W

- (1) Schedule 2 to this Act (which contains provisions about administration, including collection) shall have effect.
- (2) Schedule 3 to this Act (which contains provisions about civil penalties) shall have effect.
- (3) Schedule 4 to this Act (which contains provisions about the recovery of sums due, including sums due as penalties) shall have effect.
- [^{F50}(4) Where a liability order has been made against a person under regulations under Schedule 4, the billing authority concerned may use the procedure in Schedule 12 to the Tribunals, Courts and Enforcement Act 2007 (taking control of goods) to recover the amount in respect of which the order was made, to the extent that it remains unpaid.]

Textual Amendments

F50 S. 14(4) inserted (6.4.2014) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\), s. 148, Sch. 13 para. 106](#) (with s. 89); S.I. 2014/768, art. 2(1)(b)

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[^{F51}14A Regulations about powers to require information **E+W**

- (1) The appropriate authority may by regulations provide for the exercise, for prescribed council tax purposes, of—
 - (a) powers to require the provision of information;
 - (b) powers to require a person to enter into arrangements under which access is permitted to the person's electronic records.
- (2) The appropriate authority may by regulations make provision about arrangements for access to electronic records for prescribed council tax purposes where the arrangements are entered into otherwise than under a requirement of the kind mentioned in subsection (1)(b).
- (3) The appropriate authority may by regulations—
 - (a) make provision about the persons by whom powers conferred by regulations under this section may be exercised;
 - (b) make provision about the persons by whom arrangements under regulations under this section may be made;
 - (c) in particular, make provision for the authorisation by billing authorities of persons to exercise those powers or make those arrangements.
- (4) The provision that may be made by regulations under this section includes, in particular, provision equivalent to—
 - (a) provision made by a relevant enactment, or
 - (b) provision that is capable of being made under a relevant enactment,with such modifications as the appropriate authority thinks fit.
- (5) For the purposes of subsection (4), each of the following enactments as it had effect on the day on which the Local Government Finance Act 2012 was passed is a “relevant enactment”—
 - (a) section 109A(8) of the Social Security Administration Act 1992 (application of section 109B of that Act to the Crown);
 - (b) section 109B of that Act (powers to require information);
 - (c) section 110A of that Act (authorisations by local authorities to exercise powers of investigation);
 - (d) section 110AA of that Act (power of local authority to require electronic access to information);
 - (e) section 121DA of that Act (interpretation of Part 6 of that Act);
 - (f) section 191 of that Act (interpretation of that Act).
- (6) This section does not affect the operation of Schedule 2 (administration of council tax).
- (7) In this section “council tax purposes” means purposes relating to a person's liability to pay council tax.

Textual Amendments

F51 Ss. 14A-14D inserted (31.10.2012) by [Local Government Finance Act 2012 \(c. 17\)](#), s. 14(2)

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14B Regulations about offences **E+W**

- (1) The appropriate authority may by regulations provide for the creation of offences that may be committed by a person in prescribed circumstances—
 - (a) by intentionally delaying or obstructing a person in the exercise of a power conferred by regulations under section 14A(1);
 - (b) by refusing or failing to comply with any requirement under regulations under section 14A(1)(b) or with the requirements of any arrangements entered into in accordance with such regulations;
 - (c) by refusing or failing, when required to do so by or under this Act or by or under regulations made under this Act, to provide any information or document in connection with a person's liability to pay council tax;
 - (d) by making a false statement or representation in connection with such liability;
 - (e) by providing, or causing or allowing to be provided, in connection with such liability, a document or information which is false;
 - (f) by failing to notify, or causing or allowing a person to fail to notify, a matter that is relevant to such liability (including in particular any matter that is required to be notified by or under this Act or by or under regulations made under this Act).
- (2) Regulations under subsection (1)(a), (b) or (c)—
 - (a) must provide for an offence under the regulations to be triable only summarily;
 - (b) may not provide for such an offence to be punishable with a fine exceeding level 3 on the standard scale.
- (3) Regulations under subsection (1)(a), (b) or (c)—
 - (a) may provide, in a case where a person is convicted of an offence under the regulations and the act or omission constituting the offence continues after the conviction, for the person to be guilty of a further offence and liable on summary conviction to a daily fine;
 - (b) may not provide for the daily fine to exceed £40.
- (4) Regulations under subsection (1)(d), (e) or (f) that create an offence that may only be committed by a person acting dishonestly—
 - (a) must provide for the offence to be triable summarily or on indictment;
 - (b) may not provide for the offence to be punishable on summary conviction with imprisonment for a term exceeding [^{F52}the general limit in a magistrates' court] or with a fine exceeding the statutory maximum;
 - (c) may not provide for the offence to be punishable on conviction on indictment with imprisonment for a term exceeding 7 years (and may provide for the offence to be punishable on conviction on indictment with a fine).
- (5) Regulations under this section that create an offence within subsection (4) that may be committed before [^{F53}2 May 2022] may not provide for such an offence committed before that date to be punishable on summary conviction with imprisonment for a term exceeding 6 months.
- (6) Regulations under subsection (1)(d), (e) or (f) that create an offence that may be committed by a person acting otherwise than dishonestly—
 - (a) must provide for the offence to be triable only summarily;
 - (b) may not provide for the offence to be punishable with imprisonment for a term exceeding 51 weeks or with a fine exceeding level 5 on the standard scale.

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- (7) Regulations under this section that create an offence within subsection (6) that may be committed before the date that section 281(5) of the Criminal Justice Act 2003 comes into force may not provide for such an offence committed before that date to be punishable with imprisonment for a term exceeding 3 months.
- (8) The appropriate authority may by regulations make provision—
- (a) about defences to an offence under regulations under this section;
 - (b) about the commission by a body corporate of such an offence;
 - (c) about the conduct of proceedings for such an offence;
 - (d) about the time limits for bringing such proceedings;
 - (e) about the determination of issues arising in such proceedings;
 - (f) about other matters of procedure and evidence in relation to such offences.
- (9) The provision that may be made by regulations under this section includes, in particular, provision equivalent to—
- (a) provision made by a relevant enactment, or
 - (b) provision that is capable of being made under a relevant enactment, with such modifications as the appropriate authority thinks fit.
- (10) For the purposes of subsection (9), each of the following enactments as it had effect on the day on which the Local Government Finance Act 2012 was passed is a “relevant enactment”—
- (a) section 111 of the Social Security Administration Act 1992 (offences relating to powers under that Act);
 - (b) section 111A of that Act (dishonest representations for obtaining benefit etc.);
 - (c) section 112 of that Act (false representations for obtaining benefit etc.);
 - (d) section 115 of that Act (offences by bodies corporate);
 - (e) section 116 of that Act (legal proceedings);
 - (f) section 121DA of that Act (interpretation of Part 6 of that Act);
 - (g) section 191 of that Act (interpretation of that Act).

Textual Amendments

- F51** Ss. 14A-14D inserted (31.10.2012) by [Local Government Finance Act 2012 \(c. 17\), s. 14\(2\)](#)
- F52** Words in [s. 14B\(4\)\(b\)](#) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates’ Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), [Sch. Pt. 1](#) table
- F53** Words in [s. 14B\(5\)](#) substituted (28.4.2022) by [The Criminal Justice Act 2003 \(Commencement No. 33\) and Sentencing Act 2020 \(Commencement No. 2\) Regulations 2022 \(S.I. 2022/500\)](#), regs. 1(2), [5\(1\)](#), [Sch. Pt. 1](#)

14C Regulations about penalties **E+W**

- (1) The appropriate authority may by regulations make provision for the imposition of a penalty by a billing authority on a person where in prescribed circumstances—
- (a) that person's act or omission results or could result in the amount of council tax that a person (“P”) is liable to pay being reduced or subject to a discount, and
 - (b) P is not or will not be entitled to that reduction or discount.

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- (2) The appropriate authority may by regulations make provision for the imposition of a penalty by a billing authority on a person where in prescribed circumstances—
- (a) that person's act or omission results or could result in a dwelling in respect of which a person (“P”) would otherwise be liable to pay council tax being treated as an exempt dwelling for a period, and
 - (b) the dwelling is not or will not be an exempt dwelling for all or part of that period.
- (3) Regulations under this section must—
- (a) make provision with the effect that a penalty may only be imposed on a person where the person agrees to the imposition of the penalty as an alternative to criminal proceedings being taken against the person in respect of the act or omission to which the penalty relates,
 - (b) make provision with the effect that a penalty may only be imposed on a person where the person has not been charged with an offence in respect of the act or omission to which the penalty relates, or
 - (c) make provision within paragraph (a) and (b).
- (4) Where—
- (a) regulations under this section specify a sum as a penalty (or a minimum or maximum penalty), and
 - (b) it appears to the Treasury that there has been a change in the value of money since those regulations were made or (as the case may be) the last occasion when an order under this subsection was made,
- the Treasury may by order substitute for that sum such other sum as appears to them to be justified by the change.
- (5) An order under subsection (4) does not apply in relation to any act done or omission which began before the date on which the order comes into force.
- (6) This section does not affect the operation of paragraph 1 of Schedule 3 (penalties).
- (7) The provision that may be made by regulations under this section includes, in particular, provision equivalent to—
- (a) provision made by a relevant enactment, or
 - (b) provision that is capable of being made under a relevant enactment,
- with such modifications as the appropriate authority thinks fit.
- (8) For the purposes of subsection (7), each of the following is a “relevant enactment”—
- (a) section 115A of the Social Security Administration Act 1992 (penalty as alternative to prosecution);
 - (b) section 115B of that Act (penalty as alternative to prosecution: colluding employers etc);
 - (c) section 115C of that Act (penalties in respect of incorrect statements etc);
 - (d) section 115D of that Act (penalties in respect of failures to disclose information);
 - (e) section 121DA of that Act (interpretation of Part 6 of that Act);
 - (f) section 191 of that Act (interpretation of that Act).
- (9) The reference in subsection (8)—

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- (a) to section 115C or 115D of the Social Security Administration Act 1992 is to that section without the repeals in it contained in Part 1 of Schedule 14 to the Welfare Reform Act 2012;
- (b) to any other provision of that Act is to the provision as it had effect on the day on which the Local Government Finance Act 2012 was passed.

Textual Amendments

F51 Ss. 14A-14D inserted (31.10.2012) by [Local Government Finance Act 2012 \(c. 17\), s. 14\(2\)](#)

14D Sections 14A to 14C: supplementary **E+W**

- (1) In sections 14A to 14C—
 - “the appropriate authority” means—
 - (a) the Secretary of State, in relation to England, and
 - (b) the Welsh Ministers, in relation to Wales;
 - “prescribed”, in relation to regulations made by the Welsh Ministers, means prescribed by such regulations.
- (2) A statutory instrument containing regulations made by the Secretary of State under any of sections 14A to 14C may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (3) A statutory instrument containing regulations made by the Welsh Ministers under any of sections 14A to 14C may not be made unless a draft of the instrument has been laid before and approved by a resolution of the National Assembly for Wales.]

Textual Amendments

F51 Ss. 14A-14D inserted (31.10.2012) by [Local Government Finance Act 2012 \(c. 17\), s. 14\(2\)](#)

15 Valuation tribunals. **E+W**

- (1) Valuation and community charge tribunals established under Schedule 11 to the 1988 Act shall be known as valuation tribunals.
- (2) Such tribunals shall exercise, in addition to the jurisdiction conferred on them by or under the 1988 Act, the jurisdiction conferred on them by—
 - (a) section 16 below;
 - (b) regulations made under section 24 below; and
 - (c) paragraph 3 of Schedule 3 to this Act.

16 Appeals: general. **E+W**

- (1) A person may appeal to a valuation tribunal if he is aggrieved by—
 - (a) any decision of a billing authority that a dwelling is a chargeable dwelling, or that he is liable to pay council tax in respect of such a dwelling; or
 - (b) any calculation made by such an authority of an amount which he is liable to pay to the authority in respect of council tax.

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- (2) In subsection (1) above the reference to any calculation of an amount includes a reference to any estimate of the amount.
- (3) Subsection (1) above shall not apply where the grounds on which the person concerned is aggrieved fall within such category or categories as may be prescribed.
- (4) No appeal may be made under subsection (1) above unless—
 - (a) the aggrieved person serves a written notice under this subsection; and
 - (b) one of the conditions mentioned in subsection (7) below is fulfilled.
- (5) A notice under subsection (4) above must be served on the billing authority concerned.
- (6) A notice under subsection (4) above must state the matter by which and the grounds on which the person is aggrieved.
- (7) The conditions are that—
 - (a) the aggrieved person is notified in writing, by the authority on which he served the notice, that the authority believes the grievance is not well founded, but the person is still aggrieved;
 - (b) the aggrieved person is notified in writing, by the authority on which he served the notice, that steps have been taken to deal with the grievance, but the person is still aggrieved;
 - (c) the period of two months, beginning with the date of service of the aggrieved person's notice, has ended without his being notified under paragraph (a) or (b) above.
- (8) Where a notice under subsection (4) above is served on an authority, the authority shall—
 - (a) consider the matter to which the notice relates;
 - (b) include in any notification under subsection (7)(a) above the reasons for the belief concerned;
 - (c) include in any notification under subsection (7)(b) above a statement of the steps taken.

Modifications etc. (not altering text)

C10 S. 16(1) restricted (1.4.1992) by S.I. 1992/613, reg.30.

Miscellaneous

17 Completion of new dwellings. E+W

- (1) Subject to the provisions of this section, Schedule 4A to the ^{M9} 1988 Act (which makes provision with respect to the determination of a day as the completion day in relation to a new building) shall, with the exception of paragraph 6, apply for the purposes of this Part as it applies for the purposes of Part III of that Act.
- (2) Any reference in this section to the Schedule is a reference to Schedule 4A to the 1988 Act as it applies for the purposes of this Part.
- (3) Where—
 - (a) a completion notice is served under the Schedule; and

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- (b) the building to which the notice relates is not completed on or before the relevant day,
any dwelling in which the building or any part of it will be comprised shall be deemed for the purposes of this Part to have come into existence on that day.
- (4) For the purposes of subsection (3) above the relevant day in relation to a completion notice is—
- (a) where [^{F54}no appeal] against the notice is brought under paragraph 4 of the Schedule, the day stated in the notice; and
- (b) where [^{F55}an appeal] against the notice is brought under that paragraph, the day determined under the Schedule as the completion day in relation to the building to which the notice relates.
- (5) Where—
- (a) a day is determined under the Schedule as the completion day in relation to a new building; and
- (b) the building is one produced by the structural alteration of a building which is comprised in one or more existing dwellings,
the existing dwelling or dwellings shall be deemed for the purposes of this Part to have ceased to exist on that day.
- (6) Any reference in this section or the Schedule to a new building includes a reference to a building produced by the structural alteration of an existing building where—
- (a) the existing building or any part of it is comprised in a dwelling which, by virtue of the alteration, becomes, or becomes part of, a different dwelling or different dwellings; or
- (b) neither the existing building nor any part of it is, except by virtue of the alteration, comprised in any dwelling.
- (7) Any reference in this section to a building includes a reference to a part of a building; and any reference in the Schedule to the valuation officer shall be construed as a reference to the listing officer.

Textual Amendments

F54 Words in s. 17(4)(a) substituted (18.11.2003) by [Local Government Act 2003 \(c. 26\), s. 127\(1\), Sch. 7 para. 43\(1\)\(a\)](#) (with effect as mentioned in [Sch. 7 para. 43\(2\)](#))

F55 Words in s. 17(4)(b) substituted (18.11.2003) by [Local Government Act 2003 \(c. 26\), s. 127\(1\), Sch. 7 para. 43\(1\)\(b\)](#) (with effect as mentioned in [Sch. 7 para. 43\(2\)](#))

Marginal Citations

M9 1988 c.41

18 Death of persons liable. **E+W**

- (1) The Secretary of State may make such regulations as he thinks fit to deal with any case where a person dies and at any time before his death—
- (a) he was (or is alleged to have been) liable to pay council tax under section 6, 7 or 8 above;
- (b) he was (or is alleged to have been) so liable, as spouse [^{F56}or civil partner] , under section 9 above; or

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- (c) a penalty was imposed on him [^{F57}under regulations under section 14C or] under paragraph 1 of Schedule 3 to this Act.
- (2) Nothing in the following provisions of this section shall prejudice the generality of subsection (1) above.
- (3) The regulations may provide that where before his death a sum has become payable by the deceased but has not been paid his executor or administrator shall be liable to pay the sum and may deduct out of the assets and effects of the deceased any payments made (or to be made).
- (4) The regulations may provide that where before his death a sum in excess of his liability has been paid (whether the excess arises because of his death or otherwise) and has not been repaid or credited his executor or administrator shall be entitled to the sum.
- (5) The regulations may provide for the recovery of any sum which is payable under the regulations and is not paid.
- (6) The regulations may provide that proceedings (whether by way of appeal or otherwise) may be instituted, continued or withdrawn by the deceased's executor or administrator.

Textual Amendments

- F56** Words in s. 18(1)(b) inserted (15.4.2005 for specified purposes and otherwise 5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 261(1), 263, [Sch. 27 para. 140\(3\)](#); S.I. 2005/1112, [art. 2](#), Sch. 1; S.I. 2005/3175, [art. 2](#)
- F57** Words in s. 18(1)(c) inserted (31.10.2012) by [Local Government Finance Act 2012 \(c. 17\)](#), [s. 14\(3\)](#)

^{F58}19 Exclusion of Crown exemption in certain cases. **E+W**

- (1) Subsection (2) below applies in the case of a dwelling provided and maintained by an authority mentioned in subsection (3) below for purposes connected with the administration of justice, police purposes or other Crown purposes.
- (2) Any rules as to Crown exemption which would have applied apart from this subsection shall not prevent—
- the dwelling being a chargeable dwelling; or
 - any person being liable to pay council tax in respect of the dwelling.
- (3) The authorities are—
- a billing authority other than the Council of the Isles of Scilly;
 - a county council;
 - ^{F59}(bb) the Greater London Authority;
 - any functional body, within the meaning of the Greater London Authority Act 1999;]
 - ^{F60}(c) a police and crime commissioner;]
 - (ca)
 - (cb) ^{F61}
 - ^{F62}(d)
 - (e) the Receiver for the Metropolitan Police District; ^{F63} . . .
 - ^{F64}(f)
 - ^{F65}(g) The Residuary Body for Wales (Corff Gweddilliol Cymru).]

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- (4) The Secretary of State may by order provide that subsection (2) above shall also apply in relation to any dwelling of a class prescribed by the order.
- (5) Subsections (3) and (4) of section 4 above shall apply for the purposes of subsection (4) above as they apply for the purposes of subsection (2) of that section.

Textual Amendments

- F58** S. 19: by 1999 c. 22, ss. 83, Sch. 12 para. 8 (with Sch. 14 para. 7(2)) it is provided (1.4.2001) that, in s. 19(2) after paragraph (e) there is inserted "(ea) the Greater London Magistrates' Courts Authority"; S.I. 2001/916, arts. 2(a)(i), 4 (with Sch. 2 para. 2) and said insertion repealed (1.4.2005) by the Courts Act (c. 39), s. 109(1)(3), Sch. 8 para. 356, {Sch. 10}; S.I. 2005/910, art. 3
- F59** S. 19(3)(bb)(bc) inserted (8.5.2000) by 1999 c. 29, s. 137 (with Sch. 12 para. 9(1)); S.I. 1999/3434, art. 3
- F60** S. 19(3)(c) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), Sch. 16 para. 212; S.I. 2012/2892, art. 2(i)
- F61** S. 19(3)(ca)(cb) repealed (1.4.2002) by 2001 c. 16, ss. 128, 137, Sch. 6 Pt. 3 para. 76, Sch. 7 Pt. 5; S.I. 2002/344, art. 3(j)(k)(m) (with transitional provisions in art. 4)
- F62** S. 19(3)(d) repealed (1.4.1995) by 1994 c. 29, s. 93, Sch. 9 Pt. I; S.I. 1994/3262, art. 4(1), Sch. (subject to art. 5)
- F63** Word "and" in s. 19(3)(e) repealed (1.4.1995) by 1994 c. 29, s. 93, Sch. 9 Pt. I; S.I. 1994/3262, art. 4(1), Sch. (subject to art. 5)
- F64** S. 19(3)(f) repealed (1.4.1995) by 1994 c. 29, s. 93, Sch. 9 Pt. I; S.I. 1994/3262, art. 4(1), Sch.
- F65** S. 19(3)(g) inserted (5.7.1994) by 1994 c. 19, s. 39, Sch. 13 para. 33

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2010/875 reg. 16Sch. 2](#) (This amendment not applied to [legislation.gov.uk](#). The amending S.I. was revoked before ever coming into force by [S.I. 2010/1906, reg. 2](#))

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6(2)(ea) inserted by [2012 c. 17 s. 13\(1\)](#)