
STATUTORY INSTRUMENTS

1989 No. 438

**The Community Charges (Administration
and Enforcement) Regulations 1989**

PART II

INFORMATION AND INSPECTION

Duty to supply information to registration officers

3.—(1) A person who has reason to believe he is or has been subject at any time on or after 1st December 1989 to a community charge of a charging authority shall inform the appropriate registration officer accordingly.

(2) A person who is shown in a charging authority's register as subject to a community charge of the authority and who has reason to believe that the item concerned contains an error or is not complete or up-to-date shall inform the appropriate registration officer accordingly.

(3) The information mentioned in paragraphs (1) and (2) is to be supplied within 21 days of the day on which the person first had reason to believe as mentioned in those paragraphs.

(4) In this regulation "the appropriate registration officer" means the registration officer of the charging authority with respect to whose community charge the person—

- (a) has reason to believe he is or has been subject, or
- (b) is shown as subject,

as the case may be.

Responsible individuals

4.—(1) The registration officer for a charging authority may, with the object of enabling him to form a view whether the responsible individual or any other person is, has been or is about to become subject to a community charge of the authority by virtue of any relevant property, request (by notice given in writing) a responsible individual as regards that property to supply to him such information as is specified in the notice.

(2) Each of the following is a responsible individual as regards any relevant property for the purposes of this regulation (so that one or more individuals may be responsible individuals with respect to the same property)—

- (a) every individual aged 18 or over who is in occupation of the property,
- (b) every individual aged 18 or over who holds a lease or underlease of the property, or who owns the property, and
- (c) such other individual aged 18 or over whom the registration officer considers it appropriate to designate from time to time as a responsible individual with respect to the property.

(3) Information requested under paragraph (1) shall be supplied by the person requested to supply it if it is in his possession or control, and shall be so supplied within 21 days of the day on which the request is made.

(4) Without prejudice to section 233 of the Local Government Act 1972, a notice given under paragraph (1) in respect of persons falling within paragraph (2)(a) may be served by addressing it by the description of “occupier” of the relevant property (naming the relevant property) and by leaving it at, or (if the property has a postal address) by sending it by post to, the relevant property.

(5) If more than one person falls within the description in paragraph (2)(a) in respect of any relevant property and a notice given under paragraph (1) is served in the manner described in paragraph (4), their duty to supply the information is satisfied if one of the occupiers supplies it on behalf of all of them.

(6) A registration officer may revoke a designation under paragraph (2)(c).

(7) If any relevant property is a building or part of a building, an individual owns it for the purposes of paragraph (2)(b) only if he owns a freehold estate in it.

(8) In this regulation “relevant property” means a building, a part of a building, a caravan or a houseboat.

Other information from individuals

5.—(1) The registration officer for a charging authority may, for the purpose of carrying out his functions under Part I of the Act, request (by notice given in writing) any person falling within paragraph (2) to supply to him such information as is specified in the notice.

(2) A person falls within this paragraph if he is a person the officer making the request reasonably believes is, has been or is about to become subject to a community charge of the authority for which the officer is the registration officer.

(3) Information requested under paragraph (1) shall be supplied by the person requested to supply it if it is in his possession or control, and shall be so supplied within 21 days of the day on which the request is made.

Information from public bodies

6.—(1) The registration officer for a charging authority may, for the purpose of carrying out his functions under Part I of the Act, request (by notice given in writing) a person mentioned in paragraph (3) to supply to the officer such information as is specified in the notice and does not fall within paragraph (2).

(2) Information falls within this paragraph if—

- (a) the information was obtained by the person concerned, or by a committee of such a person, in its capacity as police authority, or as a constituent council of such an authority,
- (b) the information was obtained by the person concerned in its capacity as an employer, or
- (c) the information consists of other than the name, address and any past or present place of residence of any person and the dates during which he is known or thought to have resided at that place.

(3) The persons referred to in paragraph (1) are—

- (a) the registration officer for any other charging authority,
- (b) the charging authority for which the officer making the request is the registration officer,
- (c) any other charging authority,
- (d) any precepting authority, and

(e) the electoral registration officer for any area in England and Wales.

(4) Information requested under paragraph (1) shall be supplied by the person requested to supply it if it is in his possession or control, and it shall be so supplied within 21 days of the day on which the request is made.

(5) A registration officer for a charging authority may (so far as he does not have the power to do so apart from this Part) supply relevant information to a registration officer for another charging authority even if he is not requested to supply the information.

(6) Information is relevant information for the purposes of paragraph (5) if—

- (a) it was obtained by the first-mentioned officer in exercising his functions under Part I of the Act, and
- (b) he believes it would be useful to the other officer in exercising his functions under that Part.

Supply of information to Secretary of State

7.—(1) The Secretary of State may, for the purpose of carrying out his functions under Part I of the Act, request (by notice given in writing) a registration officer for a charging authority to supply to him information which is specified in the notice and which was obtained by the officer for the purpose of carrying out his functions under that Part.

(2) Information requested under paragraph (1) shall be supplied by the officer if it is in his possession or control, and shall be so supplied within 21 days of the day on which the request is made.

Use of information by charging authority

8. In carrying out its functions under Part I of the Act, a charging authority may use information obtained under any other enactment provided it was not obtained by the authority, or by a committee of the authority, in its capacity as police authority, or as a constituent council of a police authority.

Notification of chargeable persons

9.—(1) Where a person becomes or ceases to be subject to a charging authority's community charge, and a registration officer makes an entry in the register accordingly, as soon as is reasonably practicable after doing so he shall send the person a copy of the item contained in the register in relation to the charge.

(2) Where a registration officer amends an item contained in the register in order to correct an error or render the item more complete or up-to-date, as soon as is reasonably practicable after doing so he shall send the person shown in the register as subject to the charge concerned a copy of the amended item.

Inspection of the register by chargeable persons

10.—(1) A person shown in a charging authority's register as subject at any time to a community charge of the authority may, at a reasonable place and time stated by the registration officer, inspect the item contained in the register in relation to the charge.

(2) If such a person requests the registration officer to supply a copy of such an item, the officer shall supply the copy to the person; but the authority may require a reasonable charge in respect of the supply of the copy, and if it does so the duty to supply it shall not arise unless the person pays the charge.

(3) If the register is not kept in documentary form, the duty to make an item available for inspection or to supply a copy of an item is satisfied if a print-out, photographic image or other

reproduction of the item which has been obtained from the storage medium adopted in relation to the register is made available for inspection or is supplied (as the case may be).

Extracts of the register for public inspection

11.—(1) Every registration officer is to compile and then maintain—

- (a) an extract taken from the information for the time being contained in the charging authority's register containing the information described in paragraph (2), and
- (b) a list of the addresses of buildings and parts of buildings for the time being designated by the registration officer for the purposes of the charging authority's collective community charges.

(2) Subject to paragraph (3), the information to be contained in an extract compiled and maintained under paragraph (1)(a) is the address of every residence, property or dwelling (as the case may be) by virtue of which a person is subject to a community charge of the authority, together with the surname or family name of the person and the initial letters of any other names of his, without indication of sex.

(3) The information mentioned in paragraph (2) with respect to a person shall not be included in the extract if, in the view of the registration officer, there is cause to believe that such inclusion might result in that or any other person being subject (whether in consequence of matrimonial dispute or otherwise) to threat of violence.

(4) The duty to compile and maintain an extract under paragraph (1)(a) is satisfied if the information required to be contained in it is entered in it not more than 6 months after the day the relevant information is entered in the register.

(5) An extract compiled and maintained under paragraph (1)(a)—

- (a) shall be so organised that any address required to be contained in it immediately precedes the name of the person subject to the charge in relation to the address,
- (b) shall not list the information required to be contained in it according to an order established by reference to the person's surname or family name, and
- (c) shall not identify whether the community charge which arises by virtue of any residence, property or dwelling is a personal, standard or collective community charge.

(6) Any person may, at a reasonable time and place stated by the registration officer, inspect an extract and list maintained as mentioned in paragraph (1).

(7) Except so far as is necessary for the inspection of the extract or list in a case where paragraph (8) applies, the registration officer may not supply a copy of the extract and list to any person.

(8) If the extract or list are not maintained in documentary form, the duty to make them available for inspection is satisfied if a print-out, photographic image or other reproduction of them which has been obtained from the storage medium adopted in relation to them is made available for inspection.

Inspection of records supplied

12. An authority which, or an officer who, has received a copy of records under paragraph 1(4) of Schedule 2 shall allow a copy to be inspected by any individual liable to pay an amount to the chargeable person concerned under section 9 of the Act by way of contribution to the amount the chargeable person is liable to pay in respect of the charge to which the records relate.