
STATUTORY INSTRUMENTS

1990 No. 366

**COMMUNITY CHARGES, ENGLAND AND WALES
RATING AND VALUATION
LOCAL GOVERNMENT, ENGLAND AND WALES**

**The Community Charges and Non-Domestic Rating
(Demand Notices) (England) (Amendment) Regulations
1990**

Made - - - - 27th February 1990

Laid before Parliament 1st March 1990

Coming into force - 2nd March 1990

The Secretary of State for the Environment, in exercise of the powers conferred on him by sections 50, 73(2) and (2A), 143(1) and (2) and 146(6) of, and paragraphs 1, 2(2)(1) and (1a), 3 and 21(a) of Schedule 2, paragraph 6 of Schedule 3 and paragraphs 1 and 2(2)(h) of Schedule 9 to, the Local Government Finance Act 1988(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Community Charges and Non-Domestic Rating (Demand Notices) (England) (Amendment) Regulations 1990 and shall come into force on 2nd March 1990.

(2) In these Regulations “the principal Regulations” means the Community Charges and Non-Domestic Rating (Demand Notices) (England) Regulations 1990(b).

Amendments of principal Regulations

2.—(1) After regulation 4(2) of the principal Regulations there is inserted—

“(2A) Where the amounts which are mentioned in paragraph 16(c) or 17(c) of Part II of Schedule 1 as regards a precepting authority and a precept and which the authority proposes to apply to defray special expenses relate only to part of, or differ for different parts of, the area of the charging authority concerned, the precepting authority shall provide the information required by paragraph (2)(c) or (d) (as the case may be) separately by reference to each part of the area of the charging authority for which the sums there referred to would differ.”.

(2) In paragraph 9 of Part II of Schedule 1 to the principal Regulations, for the words

(a) 1988 c.41; relevant amendments were made by the Local Government and Housing Act 1989 (c.42), Schedule 5, paragraphs 11 and 52, and by S.I. 1989/438, regulation 60.

(b) S.I. 1990/156.

“after addition of any amount” there are substituted the words “after deduction of any amount”.

(3) In paragraph 17(c) and (d) of that Part, the word “last” is omitted.

(4) Paragraph 2(5) of Part III of Schedule 1 to the principal Regulations is amended by substituting for the word “standing” the word “standard”.

(5) Paragraph 6 of that Part is amended—

(a) by inserting after the words “the relevant population” where they first occur the words “of its area or”;

(b) by substituting for the words “paragraph 16(c) or 17(c)” in both places where they occur the words “paragraph 16(c) or (d) or 17(c) or (d)”; and

(c) by inserting after the words “relevant population of the” the words “area or”.

(6) In paragraph 10 of Part III of Schedule 3 to the principal Regulations, for the words “in this Part” there are substituted the words “in this Schedule”.

Transitional provision

3.—(1) Subject to paragraph (2), where a precept has been issued before the day on which these Regulations come into force (“the relevant day”), the information which would have been supplied to a charging authority pursuant to the amendments made by regulation 2(1) or (5) if these Regulations were then in force shall be supplied within 7 days of the relevant day.

(2) Information need not be supplied under paragraph (1) on or after the relevant day if it was supplied voluntarily before that day.

27th February 1990

Chris Patten
Secretary of State for the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations clarify certain provisions of the Community Charges and Non-Domestic Rating (Demand Notices) (England) Regulations 1990 dealing with the supply of information to charging authorities by precepting authorities (regulation 2(1)) and the calculation of amounts to be so supplied (regulation 2(3)), extend the cases where in giving such information precepting authorities may use estimates of relevant population (regulation 2(5)), and correct errors in provisions of those Regulations dealing with the calculation of amounts to be shown in a demand notice and the information to accompany a demand notice (regulation 2(2), (4) and (6)).

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