

SCHEDULES

SCHEDULE 4

COMMUNITY CHARGES: ENFORCEMENT

PART III

CHARGES: JOINT AND SEVERAL LIABILITY

- 14 This Part of this Schedule applies as regards the recovery of any sum falling within paragraph 1(1)(b) above.
- 15 (1) Regulations under this Schedule may make, as regards the recovery of such a sum, provision equivalent to that included under Part II of this Schedule subject to any modifications the Secretary of State thinks fit.
- (2) In particular, the regulations may provide that where a sum is payable by a chargeable person and a spouse or manager (as the case may be)—
- (a) a liability order may be made against the chargeable person alone, or against that person and the spouse or manager;
 - (b) a liability order may not be made against the spouse or manager alone;
 - (c) where a liability order has been made against both the chargeable person and the spouse or manager, an attachment of earnings order may be made against one of them or different attachment of earnings orders may be made against each;
 - (d) where a liability order has been made against both, deductions from income support may be made in respect of one of them or of each;
 - (e) where a liability order has been made against both, distress may be made against one of them or against each;
 - (f) where distress has been made against each, a warrant of commitment may be applied for against one of them or different warrants may be applied for against each;
 - (g) where distress has been made against the chargeable person only, a warrant of commitment may be applied for against that person;
 - (h) where a liability order has been made against both, a charging order may be made against one of them or different charging orders may be made against each.
- (3) As regards a case where a magistrates' court has made a liability order against a chargeable person and a spouse, the regulations may include provision that a warrant of commitment may not be applied for against the spouse unless distress has been made against the chargeable person and it appears to the authority concerned that no (or insufficient) goods of that person can be found.

Status: This is the original version (as it was originally enacted).

- (4) As regards a case where a magistrates' court has made a liability order against a chargeable person and a spouse or manager, the regulations may include provision that—
- (a) steps by way of attachment, deduction, distress or charging may not be taken against one while steps by way of the same method or another of those methods are being taken against the other;
 - (b) where a warrant of commitment is issued against (or a term of imprisonment is fixed in the case of) one of them no steps, or no further steps, by way of attachment, deduction, distress or charging may be taken against that one.
- (5) In this paragraph “chargeable person”, “spouse” and “manager” shall be construed in accordance with sections 16 and 17 above.