



Local Government Finance Act 1992

1992 CHAPTER 14

PART III

COMMUNITY CHARGES

102 Transitory enforcement provisions for England and Wales.

- (1) Schedule 4 to the ^{M1} 1988 Act (community charges: enforcement) shall be amended as follows.
- (2) In paragraph 7 (distress), after sub-paragraph (3) there shall be inserted the following sub-paragraph—
 - “(3A) The regulations may include provision that—
 - (a) no person shall make a distress unless he is an officer of the authority concerned, or he is a person of a prescribed description and any prescribed conditions are fulfilled;
 - (b) no person making a distress shall seize goods of a prescribed description.”
- (3) In paragraph 8 (commitment to prison), in sub-paragraph (1)(a), for the words “it appears to the authority that no (or insufficient) goods of the debtor can be found” there shall be substituted the words “ the person making the distress reports to the authority that he was unable (for whatever reason) to find any or sufficient goods of the debtor ”.
- (4) After paragraph 13 there shall be inserted the following paragraph—

“13A Admissibility of evidence

- (1) Regulations under this Schedule may include provision that, in any proceedings before a magistrates’ court under any provision included by virtue of the preceding provisions of this Part of this Schedule—
 - (a) a statement contained in a document of record shall be admissible as evidence of any fact stated in it of which direct oral evidence would be admissible; and

Changes to legislation: Local Government Finance Act 1992, Section 102 is up to date with all changes known to be in force on or before 20 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

- (b) a certificate which is made with respect to a document of record produced by a computer and purports to be signed by a responsible person shall be admissible as evidence of anything which is stated in it to the best of his information and belief.

(2) In this paragraph—

“document of record” means a document constituting or forming part of a record compiled by the authority concerned;

“responsible person” means a person occupying a responsible position in relation to the operation of the computer;

“statement” includes any representation of fact, whether made in words or otherwise.”

- (5) In paragraph 15 (joint and several liability), in sub-paragraph (3), for the words “it appears to the authority concerned that no (or insufficient) goods of that person can be found” there shall be substituted the words “ the person making the distress reports to the authority that he was unable (for whatever reason) to find any or sufficient goods of the chargeable person ”.

Marginal Citations

M1 [1988 c.41](#)

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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\(1\)](#)