
WELSH STATUTORY INSTRUMENTS

2003 No. 1715 (W.183)

COUNCIL TAX, WALES

**The Council Tax (Administration and Enforcement)
(Amendment No.2) (Wales) Regulations 2003**

Made - - - - *8th July 2003*

Coming into force - - *10th July 2003*

The National Assembly for Wales, in exercise of the powers conferred on the Secretary of State by sections 14(3) and 113(1) and (2) of and paragraphs 1, 2, 3 and 8 of Schedule 4 to the Local Government Finance Act 1992(1) which are vested in the National Assembly for Wales so far as exercisable in relation to Wales(2), hereby makes the following Regulations:

Name and commencement

1. These Regulations are called the Council Tax (Administration and Enforcement) (Amendment No.2) (Wales) Regulations 2003 and come into force on 10th July 2003.

Application and Interpretation

2.—(1) These Regulations apply to Wales only.

2.—(2) In these Regulations “the Principal Regulations” (y “*Prif Reoliadau*”) means the Council Tax (Administration and Enforcement) Regulations 1992(3).

(1) 1992 (c. 14).

(2) See National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

(3) S.I. 1992/613 as amended by the Statute Law (Repeals) Act 1995 (c. 44); regulation 3 of and the Schedule to Council Tax (Administration and Enforcement) (Attachment of Earnings Order) (Wales) Regulations 1992 (S.I. 1992/1741); regulations 3 to 12 and 15 to 20 of Council Tax (Administration and Enforcement) (Amendment) Regulations 1992 (S.I. 1992/3008); regulation 2 of Council Tax (Administration and Enforcement) (Amendment) Regulations 1993 (S.I. 1993/196); regulations 3 to 8 of and the Schedule to the Council Tax (Administration and Enforcement) (Amendment) (No 2) Regulations 1993 (S.I. 1993/773); regulations 3 to 9 of Council Tax (Administration and Enforcement) (Amendment) Regulations 1994 (S.I. 1994/505); regulations 3 to 6 of Council Tax (Administration and Enforcement) (Amendment) Regulations 1995 (S.I. 1995/22); article 2 of and paragraph 10 of the Schedule to Magistrates' Courts (Wales) (Consequences of Local Government Changes) Order 1996 (S.I. 1996/675); article 30 of Local Authorities (Contracting Out of Tax Billing, Collection and Enforcement Functions) Order 1996 (S.I. 1996/1880); regulation 2 of Community Charge and Council Tax (Administration and Enforcement) (Amendment) (Jobseeker's Allowance) Regulations 1996 (S.I. 1996/2405); regulations 3 and 4 of Council Tax (Administration and Enforcement) (Amendment) Regulations 1997 (S.I. 1997/393); regulations 3 to 8 of and the Schedule to Council Tax (Administration and Enforcement) (Amendment) Regulations 1998 (S.I. 1998/295); regulations 2 to 4 of Council Tax (Administration and Enforcement) (Amendment) Regulations 1999 (S.I. 1999/534); regulations 2 and 3 of Community Charges, Council Tax and Non-Domestic Rating (Enforcement) (Magistrates' Courts) (Wales) Regulations 2001 (S.I. 2001/1076 (W.52)); and articles 2(x) and 38 of Local Authorities (Executive and Alternative Arrangements)

Amendment of Principal Regulations

3. The Principal Regulations are amended as follows —

- (a) in regulation 35(1) omit —
 - (i) “(in which case the order shall be in the form specified as Form A in Schedule 2, or a form to the like effect),”; and
 - (ii) “(in which case the order shall be in the form specified as Form B in that Schedule, or a form to the like effect)”;
- (b) in regulation 48(1) omit “, and shall be in the form specified as Form C in Schedule 2, or in a form to the like effect”; and
- (c) omit Schedule 2.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4)

8th July 2003

D.Elis-Thomas
The Presiding Officer of the National Assembly

(Modification of Enactments and Other Provisions) (Wales) Order 2002 (S.I. 2002/808 (W.89)). There are other amendments not relevant to Wales.

(4) 1998 (c. 38).

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Council Tax (Administration and Enforcement) Regulations 1992 (as amended) (“the Regulations”) prescribe the powers by which local authorities may collect and recover council tax. In particular, regulations 35(1) and 48(1) of and Schedule 2 to the Regulations prescribe the forms of Liability Order and Warrant of Commitment which must be used by Magistrates' Courts following applications by local authorities to them for such orders or warrants.

The Lord Chancellor’s Department have recently conducted a review of the forms used in Magistrates' Courts and now wish to implement a new set of forms which are all to have a consistent style. As part of this process, it is necessary to de-prescribe the forms of Liability Order and of Warrant of Commitment mentioned above.

These Regulations remove the requirement that Magistrates' Courts must use the specified forms of Liability Order and Warrant of Commitment or forms to like effect in connection with the collection and recovery of Council Tax.