
STATUTORY INSTRUMENTS

1992 No. 1332

The Council Tax (Administration and Enforcement) (Scotland) Regulations 1992

PART II
INFORMATION

Information as to liable persons, etc.

2.—(1) Any person appearing to a levying authority to be a resident, owner or managing agent of a particular dwelling shall supply to the authority in accordance with paragraph (2) such information as fulfils the following conditions:—

- (a) it is in the possession or control of the person concerned;
- (b) the authority request the person to supply it, by serving a notice addressed—
 - (i) to him by name; or
 - (ii) to “The Resident” or, as the case may be, “the Owner” or “The Managing Agent” of the dwelling concerned (naming the dwelling) without further name or designation; and
- (c) it is requested by the authority for the purpose of identifying the person who, in respect of any period specified in the notice—
 - (i) is the liable person in relation to the dwelling; or
 - (ii) would be such a liable person if the dwelling were not or had not been an exempt dwelling.

(2) Information shall be supplied within the period of 21 days beginning on the day on which the notice was served and, if the authority so require, in a form specified in the request.

(3) In paragraph (1), the reference to a managing agent of a particular dwelling is to a person authorised to arrange lettings of the dwelling.

Information from public bodies

3.—(1) A levying authority may, for the purpose of carrying out their functions under Part II of the Act, by notice request a person mentioned in paragraph (3) to supply to them such information as is specified in the notice and does not fall within paragraph (2).

- (2) Information falls within this paragraph if—
- (a) it was obtained by the person concerned in that person’s capacity as an employer;
 - (b) where it is requested from a billing authority, it was obtained by that authority, or by a committee of that authority—
 - (i) in its capacity as police authority; or
 - (ii) in its capacity as a constituent council of such an authority; or

- (c) it consists of other than—
- (i) the name, address and any past or present place of residence of any person;
 - (ii) the dates during which he is known or thought to have resided at that place; and
 - (iii) the nature of any present or past interest which any person may have or have had in a dwelling which is or has been owned by the person to whom the request for information is made.
- (3) The persons referred to in paragraph (1) are—
- (a) any other levying authority;
 - (b) any district council;
 - (c) any billing authority;
 - (d) the electoral registration officer for any area in Great Britain;
 - (e) any community charges registration officer;
 - (f) the local assessor for the levying authority's area; and
 - (g) any housing body operating in the levying authority's area.
- (4) If information requested under paragraph (1) is in the possession or control of the person requested to supply it, that person shall supply it to the levying authority within the period of 21 days beginning on the day on which the notice was served.
- (5) A levying authority may (so far as they do not have the power to do so apart from these Regulations) supply relevant information to another levying authority or to a billing authority even if they are 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 authority in exercising their functions under Part II of the Act; and
 - (b) that authority believe that it would be useful to the other authority in exercising their functions under that Part or, in the case of a billing authority, Part I of the Act.
- (7) The reference to a community charges registration officer in sub-paragraph (e) of paragraph (3) shall be construed—
- (a) in relation to such officers in England and Wales, in accordance with section 26 of the Local Government Finance Act 1988(1); and
 - (b) in relation to such officers in Scotland, in accordance with section 12 of the Abolition of Domestic Rates Etc. (Scotland) Act 1987(2).

Information as to deaths

4.—(1) Within 7 days of the registration in a registration district in Scotland of the death of any person aged 18 or over, the district registrar for that district shall, in accordance with paragraph (2), supply to any levying authority within the area of which the registration district wholly or partly falls the following particulars of the death:—

- (a) the name and surname of the deceased;
- (b) the date of his death;
- (c) his usual address; and
- (d) the district where the death was registered.

(1) 1988 c. 41; section 26 was amended by the Local Government and Housing Act 1989 (c. 42), Schedule 5, paragraph 7.

(2) 1987 c. 47.

(2) The registrar shall supply the particulars specified in paragraph (1) by sending such form as is from time to time approved by the Registrar General for such purposes with these particulars duly entered thereon.

Use of information by levying authority

5.—(1) In carrying out their functions under Part II of the Act, a levying authority may use information which—

- (a) is obtained under any other enactment; and
- (b) does not fall within paragraph (2) below.

(2) Information falls within this paragraph if it is information obtained under, and held for the purposes of, or in connection with, the functions of the authority under the Social Work (Scotland) Act 1968⁽³⁾ (other than information as to the names and addresses of persons or addresses of premises).

(3) 1968 c. 49.