STATUTORY INSTRUMENTS

1989 No. 1371

COMMUNITY CHARGES, ENGLAND AND WALES
COMMUNITY CHARGES, SCOTLAND

The Community Charges (Cross-Border Information) Regulations 1989

Made - - - -	*1st August 1989*
Laid before Parliament	*11th August 1989*
Coming into force	*1st September 1989*

The Secretary of State for the Environment as respects the supply of information pursuant to regulation 3 below by charging authorities in England, by community charges registration officers for such authorities and by electoral registration officers for areas in England, the Secretary of State for Wales as respects the supply of information pursuant to that regulation by charging authorities in Wales, by community charges registration officers for such authorities and by electoral registration officers for areas in Wales, and the Secretary of State for Scotland as respects the supply of information pursuant to regulation 2 below, in exercise of the powers conferred on them by sections 133, 143(1) and (2) and 146(6) of the Local Government Finance Act 1988 (**a**), and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Community Charges (Cross-Border Information) Regulations 1989 and shall come into force on 1st September 1989.

Supply of information to community charges registration officers in England and Wales

2.—(1) Subject to paragraph (3), any person mentioned in paragraph (2) shall, in accordance with regulation 4, supply to a community charges registration officer for an English or Welsh charging authority such information as fulfils the following conditions–

(a) it is in the possession or control of the person concerned,

(b) the registration officer requests (by notice given in writing) the person concerned to supply it,

(c) it is requested by the registration officer for the purpose of carrying out his functions under Part I of the Local Government Finance Act 1988, and

(d) it does not fall within any description of information in paragraph (3) which need not be supplied.

(2) The persons are–

(a) the community charges registration officer for a Scottish region or islands area,

(b) a Scottish regional council or islands council, and

(c) the assessor or electoral registration officer for any area in Scotland.

(**a**) 1988 c.41.

(3) Information need not be supplied if it falls within any of the following descriptions–

(a) the information consists of other than the name, address and any past or present place of residence of any person and the dates during which he is known or thought to have resided at that place,

(b) in the case of information in the possession or control of a Scottish regional council or islands council–

(i) it is information relating to employees, former employees or applicants to become employees of such a council, being information held for the purposes of such employment or prospective employment,

(ii) it is information held for the purposes of, or in connection with, the functions of such a council under the Social Work (Scotland) Act 1968 (**a**), other than information as to the names and addresses of persons or addresses of premises (**b**), or

(iii) it is information held for the purposes of, or in connection with, the functions of such a council as police authority.

Supply of information to community charges registration officers in Scotland

3.—(1) Subject to paragraph (3), any person mentioned in paragraph (2) shall, in accordance with regulation 4, supply to a community charges registration officer for a Scottish region or islands area such information as fulfils the following conditions–

(a) it is in the possession or control of the person concerned,

(b) the registration officer requests (by notice given in writing) the person concerned to supply it,

(c) it is requested by the registration officer for the purpose of carrying out his functions under the Abolition of Domestic Rates Etc. (Scotland) Act 1987(**c**), and

(d) it does not fall within any description of information in paragraph (3) which need not be supplied.

(2) The persons are–

(a) the community charges registration officer for an English or Welsh charging authority,

(b) an English or Welsh charging authority, and

(c) the electoral registration officer for any area in England and Wales.

(3) Information need not be supplied if it falls within any of the following descriptions–

(a) the information consists of other than the name, address and any past or present place of residence of any person and the dates during which he is known or thought to have resided at that place,

(b) in the case of information in the possession or control of an English or Welsh charging authority–

(i) it is information relating to employees, former employees or applicants to become employees of such a council, being information held for the purposes of such employment or prospective employment, or

(ii) it is information held for the purposes of, or in connection with, the functions of such a council (or a committee of such a council) as police authority, or as a constituent council of such an authority.

General

4. Information supplied in pursuance of these Regulations shall be so supplied–

(a) in writing, and

(b) within 21 days of the day on which the request for such information is made.

(**a**) 1968 c.49.
(**b**) *See* S.I. 1988/1539, regulation 11.
(**c**) 1987 c.47, amended by the Local Government Finance Act 1988 (c.41), Schedule 12.

27th July 1989

C. F. Patten
Secretary of State for the Environment

1st August 1989

Peter Walker
Secretary of State for Wales

28th July 1989

Malcolm Rifkind
Secretary of State for Scotland

EXPLANATORY NOTE

(This note is not part of the Regulations)

Community charges registration officers in Scotland, and those in England and Wales, are under a duty to compile and maintain community charges registers under Part II of the Abolition of Domestic Rates Etc. (Scotland) Act 1987 and Part I of the Local Government Finance Act 1988 respectively.

For the purposes of assisting them in that duty, regulation 2 requires community charges registration officers, assessors and electoral registration officers in Scotland, and Scottish regional and islands councils to supply (subject to certain exceptions) information on request to community charges registration officers in England and Wales. Regulation 3 similarly requires community charges registration officers and electoral registration officers in England and Wales and English and Welsh charging authorities to supply information on request to Scottish community charges registration officers.

Under regulation 4, information must be supplied in writing and within 21 days of the day on which the request is made.