1985 No. 6

RATING AND VALUATION

The Notices to Residential Occupiers and Rate-demands (Amendment) Rules 1985

Made - - -	*7th January* 1985
Laid before Parliament	*17th January* 1985
Coming into Operation	*20th February* 1985

The Secretary of State for the Environment, in exercise of powers conferred by section 113 of the General Rate Act 1967(**a**) and now vested in him(**b**), of his powers under section 15(3) of the Rates Act 1984(**c**), and of all other powers enabling him in that behalf, after consultation with the local authorities and associations of local authorities with whom consultation appears to him to be desirable, hereby makes the following rules:—

Citation and commencement

1. These rules may be cited as the Notices to Residential Occupiers and Rate-demands (Amendment) Rules 1985 and shall come into operation on 20th February 1985.

Information for occupiers of dwelling-houses

2. For the purposes of section 15(3)(*a*) of the Rates Act 1984 (information to be given to occupiers of dwelling houses to whom no rate demand note is issued) the following is hereby prescribed:—

(*a*) the information which would be required to be included in any demand note for the rate issued in respect of the dwelling-house by or under section 5 of the General Rate Act 1967 and by rules 5 to 7, 8(*a*) and (*c*), 10 (insofar as it applies to rule 8), 12, 13 and 14(2) of the Rate-demands Rules 1981(**d**), and

(*b*) a statement to the effect that —

(i) the notice is not a demand for payment, and no payment is required; and

(ii) the amount of the rates set out in the notice will in many cases be included in payments made to the landlord.

(**a**) 1967 c.9. (**b**) S.I. 1970/1681. (**c**) 1984 c.33.
(**d**) S.I. 1981/328.

Amendment of Rate-demands Rules 1981

3. The Rate-demands Rules 1981 shall be amended in respect of demands for rates made for any period beginning on or after 1st April 1985 as follows:—

(*a*) in rule 7, the words after "section 48(1)" shall be omitted; and

(*b*) in rule 8 —

(i) paragraph (*a*) shall be amended by substituting for the words "who is a residential occupier" the words "who occupies the dwelling-house as his home;";

(ii) for paragraph (*b*) there shall be substituted —

"(*b*) that any person who is liable to pay any rates in respect of a hereditament may elect to pay rates by instalments under section 50;".

Patrick Jenkin,
Secretary of State for the Environment.

7th January 1985.

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

Section 15 of the Rates Act 1984 requires every rating authority, within three months of the making of a rate, to serve on occupiers of dwelling-houses to whom they do not, and do not intend to, issue rate demand notes a notice containing such information as may be prescribed.

Rule 2 of these rules prescribes for this purpose the information to be given. The rating authority must give such relevant information as would be required by section 5 of the General Rate Act 1967 or the Rate-demands Rules 1981 if a rate demand note were being issued. The information includes the rateable value of the hereditament; the amount in the pound of the rate; the amounts in the pound levied for the purposes of the rating authority and each precepting authority respectively; the total amount of rates payable in respect of the hereditament and the method by which the rates in respect of the hereditament have been calculated; and information as to the availability of rate rebates.

Rule 2 also requires that a statement be included to the effect that the notice is not a demand for payment, and that the amount of the rates shown on the notice may be included in payments made to the landlord.

Rule 3 alters rules 7 and 8 of the Rate-demands Rules 1981 to make them consistent with the provisions of Part I of the Local Government Finance Act 1982 (c.32), Part II of the Social Security and Housing Benefits Act 1982 (c.24) and paragraph 11 of Schedule I to the Rates Act 1984.

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