

**2012 No. 25**

**RATING AND VALUATION, ENGLAND**

**The Non-Domestic Rating (Electronic Communications)  
(England) Order 2012**

<i>Made</i> - - - -	<i>6th January 2012</i>
<i>Laid before Parliament</i>	<i>12th January 2012</i>
<i>Coming into force</i> - -	<i>15th February 2012</i>

The Secretary of State, considering that the authorisation of the use of electronic communications by this Order for any purpose is such that the extent (if any) to which records of things done for that purpose will be available will be no less satisfactory in cases where use is made of electronic communications than in other cases, makes the following Order in exercise of the powers conferred by section 8 of the Electronic Communications Act 2000(a):

**Citation, commencement and application**

1.—(1) This Order may be cited as the Non-Domestic Rating (Electronic Communications) (England) Order 2012 and shall come into force on 15th February 2012.

(2) This Order applies in relation to England only.

**Amendment of the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989**

2.—(1) The Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989(b) are amended as follows.

(2) After paragraph (7) of regulation 2, insert the following—

“(8) Notwithstanding the provisions of paragraph (3) of this regulation, subject to paragraph (9) information to which this paragraph applies shall be treated as supplied by a billing authority to a person where the billing authority has—

- (a) published the information on a website; and
- (b) notified the person in writing of—
  - (i) the publication of that information on a website;
  - (ii) the address of that website;
  - (iii) the place on the website where the information may be accessed; and
  - (iv) a postal address, email address and telephone number which may be used to request a hard copy of the information.

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(a) 2000 c.7. The definition of “electronic communication” in section 15(1) of that Act was amended by paragraph 158 of Schedule 17 to the Communications Act 2003 (c.21).

(b) S.I. 1989/1058. Regulation 2 has been amended by S.I. 2003/2604. Other amendments have also been made to S.I. 1989/1058 which are not relevant to these Regulations.

(9) Where the person referred to in paragraph (8) requests a hard copy of the information to which paragraph (8) applies, the billing authority must comply with that request as soon as practicable following the request.

(10) The information to which paragraph (8) applies is the information mentioned in Part 2 of Schedule 3 to the demand notices regulations which the billing authority is required, by regulation 3(4) of those regulations, to supply to a person when it serves a rate demand notice on that person.”.

Signed by authority of the Secretary of State for Communities and Local Government

*Bob Neill*

Parliamentary Under Secretary of State

Department for Communities and Local Government

6th January 2012

### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989 in relation to England. Article 2 of this Order amends regulation 2 of those Regulations to enable billing authorities (if they so decide) to supply certain information to ratepayers via a website rather than in hard copy, subject to a requirement that the billing authority provides the ratepayer with a hard copy of the information where requested. Information which may be supplied in this way is the information mentioned in Part 2 of Schedule 3 to the Council Tax and Non-Domestic Rating (Demand Notices) (England) Regulations 2003 which a billing authority is required (by regulation 3(4) of those Regulations) to supply to a person when it serves a rate demand notice on that person.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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