

Freedom of Information Request for Richard Valdry.

Dear Sunderland City Council,

Council Bill - Bills of Exchange Act 1882

Under the FoIA I wish to know if the council tax bill produced and issued by the council conforms with the Bills of Exchange Act 1882 all recorded information you hold is required. If your council bill does not conform please give the reasons why.

The Act clearly defines a Bill of Exchange in Section 3 as:

"A bill of exchange is an unconditional order in writing, addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand or at a fixed or determinable future time a sum certain in money to or to the order of a specified person, or to bearer."

Any "Bill" that fits this definition is then legally bound to act within the Bills of Exchange Act 1882 irrelevant of other legislation unless the said Statute repeals the Bill of Exchange Act in some way.

This is clearly not the case as the The Local Government Finance Act 1992 has not and does not repeal any part of the Bills of Exchange Act 1882.

Many thanks for your time in answering this FOI request and I look forward to hearing from you.

<http://www.legislation.gov.uk/ukpga/Vict/45-46/61>

Yours faithfully,
RICHARD VALDRY

Response

A council tax bill is not a "bill of exchange" for the purposes of the Bills of Exchange Act 1882.

A bill of exchange is a tripartite agreement whereby one person requires another to pay to a third, specified person (or "the bearer") a sum certain in money. An example of a bill of exchange is a cheque - where the payer requires his bank to pay on demand a specified sum of money from his account to the payee.

A council tax bill is more properly termed a council tax demand.

This information has been provided in response to a Freedom of Information request. You must acknowledge this fact in any subsequent use you make of the information. In addition you must undertake not to misrepresent either the source of the information nor infer any business or trading connection with the Council in the course of any subsequent use you make.

I hope this is satisfactory. If, however, you are dissatisfied with our response to your request for information, you can ask for the decision to be reviewed in reply to this letter. The review will be removed from the Directorate and coordinated by the Council's Information Governance Officer. A request for review should be directed, by email to