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STATUTORY INSTRUMENTS

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**1997 No. 1097 (C.40)**

**RATING AND VALUATION  
LOCAL GOVERNMENT, ENGLAND AND WALES**

**The Local Government and Rating Act  
1997 (Commencement No. 1) Order 1997**

*Made - - - - 26th March 1997*

The Secretary of State, in exercise of the powers conferred on him by section 34(1) of the Local Government and Rating Act 1997(1) and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation**

1. This Order may be cited as the Local Government and Rating Act 1997 (Commencement No. 1) Order 1997.

**Commencement of certain rating provisions**

2. The following provisions of the Local Government and Rating Act 1997 (“the act”) shall come into force on 1st April 1997:

- (a) section 2;
- (b) section 33(1), in so far as it relates to the provisions mentioned in paragraph (c) below;
- (c) in Schedule 3—
  - paragraph 2;
  - paragraph 22 in so far as it relates to paragraph 23;
  - paragraph 23.

**Parish and community council powers and minor amendments**

3. The following provisions of the Act shall come into force on 19th May 1997—

- (a) Part III;
- (b) section 33, in so far as it relates to the provisions mentioned in paragraphs (c) and (d) below;

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- (c) in Schedule 3, paragraphs 1 and 11 to 16;
- (d) in Schedule 4, the repeals set out in the Schedule to this Order.

Signed by authority of the Secretary of State

26th March 1997

*David Curry*  
Minister of State,  
Department of the Environment

## SCHEDULE

Article 3(d)

## REPEALS

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1854 c. 91.	The Lands Valuation (Scotland) Act 1854.	Section 20. Sections 24 to 26.
1867 c. 80.	The Valuation of Lands (Scotland) Amendment Act 1867.	The whole Act.
1894 c. 36.	The Valuation of Lands (Scotland) Acts Amendment Act 1894.	The whole Act.
1928 c. 44.	The Rating and Valuation (Apportionment) Act 1928.	The whole Act.
1929 c. 25.	The Local Government (Scotland) Act 1929.	Section 46.
1930 c. 24.	The Railways (Valuation for Rating) Act 1930.	The whole Act.
1934 c. 22.	The Accessor of Public Undertakings (Scotland) Act 1934.	The whole Act.
1948 c. 26.	The Local Government Act 1948.	Sections 108 and 124.
1952 c. 47.	The Rating and Valuation (Scotland) Act 1952.	Section 1. Section 3. Section 4. Section 5. In section 6(1) the words from “section” where it first appears to “1854,”. Section 7. Section 8(1). The First Schedule.
1954 c. 70.	The Mines and Quarries Act 1954.	Section 191(7).
1961 c. 34.	The Factories Act 1961.	In section 184(1), the words from the beginning to “aforesaid”.
1966 c. 51.	The Local Government (Scotland) Act 1966.	Section 18.
1972 c. 11.	The Superannuation Act 1972.	In Schedule 6, paragraph 24.

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<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1973 c. 65.	The Local Government (Scotland) Act 1973.	In Schedule 9, paragraphs 37 and 40 to 43.
1975 c. 30.	The Local Government (Scotland) Act 1975.	In section 1, in subsection (2), the words from “(including” to “Assessor)” and in subsection (6), paragraph (e).  In section 2(1), paragraph (c) (i) and paragraph (g).  In section 3(2) the words from “other” to “Act” where it first appears.  Section 5.  In section 37(1) the definition of “the Assessor”.  In Schedule 6, in Part I, paragraph 1 and in Part II, paragraphs 2, 3, 7, 8, 9, 17 and 18.
1976 c. 64.	The Valuation and Rating (Exempted Classes) (Scotland) Act 1976.	In section 2, in subsections (1) and (2), paragraph (b) and in subsection (3), the words “or, as the case may be, the Assessor of Public Undertakings (Scotland)”.
1984 c. 31.	The Rating and Valuation (Amendment) (Scotland) Act 1984.	In Schedule 2, paragraphs 2 to 5, 8, 10, 13(2) and 16.
1984 c. 54.	The Roads (Scotland) Act 1984.	In Schedule 9, paragraph 26.
1986 c. 44.	The Gas Act 1986.	In Schedule 7, paragraph 7.
1995 c. 45.	The Gas Act 1995.	In Schedule 4, paragraph 8.

## EXPLANATORY NOTE

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

This Order brings into force certain provisions of the Local Government and Rating Act 1997.

Section 2 (abolition of rates on sporting rights in England and Wales) and certain provisions of Schedule 3 which relate to applications for discretionary rate relief both in England and Wales and in Scotland, are brought into force on 1st April 1997.

Part III, which confers powers on parish and community councils in England and Wales, and certain miscellaneous amendments to and repeals of rating provisions applicable in Scotland, are brought into force on 19th May 1997.