



General Rate Act 1967

1967 CHAPTER 9

PART V

VALUATION LISTS

Local valuation courts and panels

88 Constitution of local valuation courts and panels.

- (1) Local valuation courts constituted as hereinafter provided shall be convened as often as may be necessary for the purpose of hearing and determining appeals under the foregoing provisions of this Part of this Act against objections to proposals for the alteration of valuation lists.
- (2) The local valuation court which hears and determines an appeal with respect to any hereditament shall consist of members of a local valuation panel constituted under a scheme for the time being in force for the purposes of this section, being, subject to subsections (3) and (4) of this section, the panel for the area within which that hereditament is situated.
- (3) Regulations made by the Minister may provide, in relation to hereditaments the value of which is or may be ascertained on the profits basis, that jurisdiction as respects all or any of the hereditaments occupied for the purposes of a particular undertaking shall be exercised by a local valuation court consisting of members of such one of the local valuation panels within whose areas any of those hereditaments are situated as may be specified by or under the regulations.
- (4) The Minister may by regulations make provision whereby hereditaments which are within the same curtilage, or are contiguous and in the same occupation, but (in either case) not within the area of a single local valuation panel, shall be treated for the purposes of appeals to local valuation courts as both or all being within the area of such one of the local valuation panels in question as may be determined by or under the regulations; and any such regulations may revoke so much of any scheme for the purposes of this section as makes provision for treating as in the same area

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hereditaments which are within the same curtilage or contiguous and in the same occupation.

- (5) Subject to subsection (6) of this section, a local valuation court shall consist of—
- (a) either the chairman of the local valuation panel or the deputy chairman (or, if more than one, one of the deputy chairmen) of the panel; and
 - (b) two other members of the panel selected in accordance with the scheme under which the panel is constituted.
- (6) If all persons appearing before a local valuation court on the hearing of an appeal consent thereto, the court may consist of any two of the persons mentioned in subsection (5) of this section ; but if the members of a court so constituted are unable to agree on a decision, the appeal shall be reheard by another valuation court.

89 Schemes for purposes of s.88.

- (1) Subject to section 90 of this Act, each scheme for the purposes of section 88 of this Act shall provide, as respects any local valuation panel to which the scheme relates—
- (a) for fixing the number of members of the panel and for determining their respective tenures of office and the persons by whom they are to be appointed respectively ; and
 - (b) for the appointment of one of those members as chairman of the panel and of such number of the members as the scheme may provide as deputy chairmen thereof;
 - (c) subject to the provisions of the said section 88, for the manner in which members of local valuation courts are to be selected from members of the panel.
- (2) Subject to section 91 of this Act, any scheme in force for any area on the date of commencement of this Act under section 45 of the Local Government Act 1948 or under paragraph 19 of Schedule 15 to the London Government Act 1963 : shall be in force for that area on and after that date for the purposes of the said section 88.

90 Disqualification for membership of panel.

- (1) Subject to the provisions of this section, a person shall be disqualified from being appointed or being a member of any local valuation panel if he is a person who—
- (a) has been adjudged bankrupt; or
 - (b) has made a composition or arrangement with his creditors; or
 - (c) has, within the five years immediately preceding his appointment or since his appointment, been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and ordered to be imprisoned for a period of three months or more without the option of a fine.
- (2) A disqualification attaching to a person by reason of subsection (1)(a) of this section shall cease—
- (a) if the bankruptcy is annulled on the ground that he ought not to have been adjudged bankrupt or that his debts have been paid in full, on the date of the annulment; or
 - (b) if he is discharged with a certificate that the bankruptcy was caused by misfortune without any misconduct on his part, on the date of his discharge; or
 - (c) in any other case, on the expiration of five years from the date of his discharge.

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- (3) A disqualification attaching to a person by reason of subsection (1)(b) of this section shall cease—
 - (a) if he pays his debts in full, on the date on which the payment is completed; or
 - (b) in any other case, on the expiration of five years from the date on which the terms of the deed of composition or arrangement are fulfilled.
- (4) For the purposes of subsection (1)(c) of this section, the ordinary date on which the period allowed for making appeal from a conviction expires, or, if such an appeal is made, the date on which it is finally disposed of or abandoned or fails by reason of the non-prosecution thereof, shall be deemed to be the date of the conviction.

91 New schemes for purposes of s.88.

- (1) Any scheme for the time being in force for the purposes of section 88 of this Act may be revoked or varied—
 - (a) by a new scheme made and submitted to and approved by the Minister in accordance with subsections (2) to (5) of this section ; or
 - (b) by a new scheme made by the Minister on a representation made by any local valuation panel or valuation officer and after consultation with any of the following councils concerned, namely, the council of any county or county borough and the Greater London Council.
- (2) A new scheme under subsection (1)(a) of this section for any area may be made by that one of the councils aforesaid within whose area the area to which the new scheme relates is situated; and any two or more of the councils aforesaid may, and if so directed by the Minister shall, make under the said subsection (1)(a) a joint new scheme providing for a local valuation panel or local valuation panels for the whole of their respective areas, or for areas which together comprise the whole of their respective areas.
- (3) The council or councils by whom a new scheme is made under subsection (1)(a) of this section shall submit it to the Minister and, as soon as they have so submitted it, shall publish in one or more newspapers circulating in their area or areas a notice stating that it has been so submitted and that a copy is open to inspection at a specified place.
- (4) Except in the case of a scheme submitted only by one or more county borough councils, the council or councils submitting a scheme under subsection (3) of this section shall, at the same time as they submit it, send a copy of it to each of the rating authorities within the area of that council or any of those councils.
- (5) No scheme submitted to the Minister under subsection (3) of this section shall be of any effect unless and until it is approved by the Minister; and the Minister, after considering any objections to the scheme which may be submitted to him by persons appearing to him to be interested, may approve the scheme with or without modifications.
- (6) Before a new scheme is made by the Minister under subsection (1)(b) of this section, he shall publish in one or more newspapers circulating in the area to which the scheme relates a notice stating his proposal to make the scheme, and that a copy of a draft of the scheme is open to inspection at a specified place, and specifying a date by which any person may send to him any representations respecting the draft.

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92 Staff, expenses etc. of local valuation panels and courts.

- (1) To assist the panel, the chairman thereof and the local valuation courts constituted from members thereof in the performance of their functions under this Part of this Act, every local valuation panel shall appoint a person to be their clerk and may appoint such other officers and servants as they may with the approval of the Minister determine, and may pay to them such salaries, allowances and other remuneration as they may with the approval of the Minister and the Treasury determine, and every such panel shall be deemed for the purposes of the Local Government Superannuation Acts 1937 to 1953 to be a local authority included in Part I of Schedule 1 to the said Act of 1937; but the functions of the officers and servants appointed under this subsection shall not extend to the valuation of hereditaments, and the power to appoint officers and servants conferred by this subsection shall be exercised accordingly.
- (2) The expenses of every such panel, including the expenses of the local valuation courts from time to time constituted from the members thereof, shall be defrayed by the Minister out of moneys provided by Parliament.
- (3) Minutes of the proceedings of a local valuation panel and of a local valuation court constituted from members thereof shall be kept, and shall either be kept in books provided for that purpose or be preserved in book form by means provided for that purpose; and a minute of any such proceedings signed—
 - (a) in the case of a meeting of the panel, at the same or the next subsequent meeting of the panel, by the person acting as chairman at the meeting at which the minute is signed ; and
 - (b) in the case of a meeting of a local valuation court, at or not later than two days after the date of the meeting to which the minute relates, by the person acting as chairman at that meeting,shall be received in evidence without further proof.