



# General Rate Act 1967

## 1967 CHAPTER 9

### PART VII

#### MISCELLANEOUS AND GENERAL

#### **116 Construction of references etc.**

- (1) Subject to the provisions of this Act, all enactments relating to the poor rate which were in force immediately before the commencement of this Act, including enactments relating to appeals against a poor rate, shall, so far as not repealed by this Act or by the Local Government Act 1966, apply in relation to the general rate.
- (2) References in any Act or other document to any rate which is a rate in lieu of which a general rate under this Act is levied or in lieu of which an amount is leviable together with, and as an additional item of, the general rate shall, unless the context otherwise requires, be construed as references respectively to the general rate and the additional item thereof.
- (3) References in any Act or other document to gross value or gross estimated rental or to net annual value or rateable value as determined by valuation lists made under the Union Assessment Acts 1862 to 1880 or as shown in, or ascertained in accordance with, the Acts relating to the basis or standard of county rates shall, unless the context otherwise requires, be construed as references to gross value or net annual value, as the case may be, as ascertained under section 19 of this Act.
- (4) References in any Act or other document to assessable value shall, except where the term is used in relation to income tax, be construed as references to rateable value as ascertained under this Act.
- (5) References in any Act or other document to the valuation list or supplemental list under the said Acts of 1862 to 1880 shall, unless the context otherwise requires, be construed as references to the valuation list under this Act.
- (6) So much of any Act or other document as refers, or as immediately before the commencement of this Act fell to be construed as referring, expressly or by implication—

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- (a) to, or to the Act containing, any enactment repealed and re-enacted by this Act; or
  - (b) to, or to the instrument containing, any instrument or provision of an instrument specified in Part II of Schedule 14 to this Act,
- shall, if and so far as the context permits, be construed as referring to, or as the case may require to the corresponding provision of, this Act.
- (7) Without prejudice to the generality of subsection (6) of this section—
- (a) any enactment which refers to the procedure for enforcing payment of poor rate, or to any part of that procedure, shall be construed as referring to the procedure prescribed by Part VI of this Act, or to the corresponding part of that procedure ; and
  - (b) the reference in rule 45 of the Magistrates Courts Rules 1952 to section 67(2) of the Magistrates Courts Act 1952 shall include a reference to section 102(5) of this Act.
- (8) Any reference in any Act passed before this Act to a parish shall, unless the contrary intention appears, be construed as a reference to an area which is a rating district within the meaning of this Act, except that—
- (a) it shall not include any area which, under section 68(4) of the Rating and Valuation Act 1925, was a parish within the meaning and for the purposes of that Act only by reason of being a contributory place or an area otherwise subject to separate or differential rating ;
  - (b) it shall not include a rating district consisting of part only of a rating area in Greater London except when used in an enactment relating to rating or valuation.
- (9) In section 2(7) of the Rating and Valuation Act 1925, for the words " an urban rating area ", and, in paragraph 5(a) of Schedule 2 to the Licensing Act 1964, for the words " an urban parish ", there shall be substituted the words " a rating area other than a rural district ".
- (10) In Schedule 1 to the Local Government Act 1966—
- (a) in paragraph 6 of Part II, for the reference to rules under section 25 of that Act there shall be substituted a reference to rules made by virtue of section 113(1) (c) of this Act;
  - (b) in paragraph 1 of Part III, for the reference to section 6 of that Act there shall be substituted a reference to section 48 of this Act.