

**Status:** Point in time view as at 30/12/2007. This version of this  
schedule contains provisions that are not valid for this point in time.  
**Changes to legislation:** There are currently no known outstanding effects for the Local Government  
and Public Involvement in Health Act 2007, SCHEDULE 16. (See end of Document for details)

## SCHEDULES

VALID FROM 01/04/2008

### SCHEDULE 16

Section 220

#### CONSEQUENTIAL AMENDMENTS RELATING TO THE CREATION OF THE VALUATION TRIBUNAL FOR ENGLAND

##### *House of Commons Disqualification Act 1975 (c. 24)*

- 1 In Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975  
(bodies of which all members are disqualified), insert at the appropriate place—  
“ The Valuation Tribunal for England. ”

VALID FROM 01/10/2009

##### *Local Government Finance Act 1988 (c. 41)*

- 2 The Local Government Finance Act 1988 is amended as follows.
- 3 (1) Section 55 (alteration of lists) is amended in accordance with this paragraph.
- (2) In subsection (5) omit “established under Schedule 11 below”.
- (3) After subsection (7A) insert—
- “ (8) In this section “valuation tribunal” means—
- (a) in relation to England: the Valuation Tribunal for England;
- (b) in relation to Wales: a valuation tribunal established under  
paragraph 1 of Schedule 11.”
- 4 (1) Schedule 4A (non-domestic rating: new buildings (completion days)) is amended  
in accordance with this paragraph.
- (2) In paragraph 4 (appeals against completion notices), after sub-paragraph (2)  
insert—
- “ (3) In this paragraph “valuation tribunal” means—
- (a) in relation to England: the Valuation Tribunal for England;
- (b) in relation to Wales: a valuation tribunal established under  
paragraph 1 of Schedule 11.”
- 5 (1) Schedule 9 (non-domestic rating: administration) is amended in accordance with  
this paragraph.
- (2) In paragraph 5C (non-compliance with information notice: appeals against  
penalties), after sub-paragraph (6) insert—

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“(7) In this paragraph “valuation tribunal” means—

- (a) in relation to England: the Valuation Tribunal for England;
- (b) in relation to Wales: a valuation tribunal established under paragraph 1 of Schedule 11.”

VALID FROM 01/10/2009

*Land Drainage Act 1991 (c. 59)*

- 6 (1) Section 45 of the Land Drainage Act 1991 (appeals against determinations of annual value) is amended in accordance with this paragraph.
- (2) In subsection (7)(a) omit “, in accordance with regulations under Schedule 11 to the Local Government Finance Act 1988,”.
- (3) After subsection (7) insert—

“(8) For the purposes of subsection (7)—

- (a) “valuation tribunal” means—
  - (i) the Valuation Tribunal for England, or
  - (ii) a valuation tribunal established under paragraph 1 of Schedule 11 to the Local Government Finance Act 1988;
- (b) England is to be treated as the area for which the Valuation Tribunal for England is established.”

VALID FROM 01/10/2009

*Local Government Finance Act 1992 (c. 14)*

- 7 (1) Section 69 of the Local Government Finance Act 1992 (interpretation etc of Part 1) is amended in accordance with this paragraph.
- (2) In subsection (1), for the definition of “valuation tribunal” substitute—

““valuation tribunal” means—

- (a) in relation to England: the Valuation Tribunal for England;
- (b) in relation to Wales: a valuation tribunal established under paragraph 1 of Schedule 11 to the 1988 Act.”

VALID FROM 01/10/2009

*Tribunals and Inquiries Act 1992 (c. 53)*

- 8 (1) Schedule 1 to the Tribunals and Inquiries Act 1992 (tribunals under direct supervision of Council on Tribunals) is amended in accordance with this paragraph.

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- (2) In entry 28, for “Valuation tribunals established” substitute “ The Valuation Tribunal for England and the valuation tribunals established in relation to Wales ”.

VALID FROM 01/10/2009

*Finance Act 2003 (c. 14)*

- 9 (1) Section 78A of the Finance Act 2003 (disclosure of information contained in land transaction returns) is amended in accordance with this paragraph.
- (2) In subsection (1)(b), omit “established under Schedule 11 to the Local Government Finance Act 1988”.
- (3) After subsection (3) insert—
- “ (4) In this section “valuation tribunal” means—
- (a) in relation to England: the Valuation Tribunal for England;
  - (b) in relation to Wales: a valuation tribunal established under paragraph 1 of Schedule 11 to the Local Government Finance Act 1988.”

*Local Government Act 2003 (c. 26)*

- 10 The Local Government Act 2003 is amended as follows.
- 11 (1) Section 105 (the Valuation Tribunal Service) is amended in accordance with this paragraph.
- (2) In subsection (2)—
- (a) for “valuation tribunals in England” substitute “ the Valuation Tribunal for England (referred to in this section and Schedule 4 as “the Tribunal”) ”;
  - (b) in paragraph (a) for “tribunals” substitute “ the Tribunal ”;
  - (c) in paragraph (a)(ii) for “clerks to tribunals” substitute “ the clerk of the Tribunal ”;
  - (d) in paragraph (a)(v) for “(including clerks to) tribunals” substitute “ the Tribunal (including the clerk of the Tribunal) ”;
  - (e) after paragraph (a) insert—
    - “(aa) making payments in accordance with paragraph A14 of Schedule 11 to the Local Government Finance Act 1988;”;
  - (f) in paragraph (b) for “tribunals” substitute “ the Tribunal ”.
- (3) In subsection (5)—
- (a) for “valuation tribunals” substitute “ the Tribunal ”;
  - (b) for “their” substitute “ its ”.
- (4) In subsection (6)—
- (a) for “valuation tribunals” substitute “ the Tribunal ”;
  - (b) for “the Tribunals concerned” substitute “ the President of the Tribunal ”.

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VALID FROM 01/10/2009

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- 12            In section 124 (general interpretation), omit the definition of “valuation tribunal”.
- 13            (1) Schedule 4 (the Valuation Tribunal Service) is amended in accordance with this paragraph.
- (2) In paragraph 1 (membership)—
- (a) after sub-paragraph (1) insert—
- “(1A) The Secretary of State must appoint the person who is for the time being President of the Tribunal as one of the members of the Service (unless that person is already a member of the Service).”;
- (b) for sub-paragraph (3)(a) substitute—
- “(a) a majority are senior members of the Tribunal, and”.
- (3) In paragraph 3 (tenure of office)—
- (a) after sub-paragraph (1) insert—
- “(1A) The person who is for the time being President of the Tribunal shall hold office as a member of the Service for as long as he remains President of the Tribunal.”;
- (b) in sub-paragraph (2) after “A person” insert “ other than the President of the Tribunal ”.
- (4) In paragraph 4 (cessation of membership), for sub-paragraph (1)(b) substitute—
- “(b) he ceases to be President of the Tribunal (whether or not he was appointed to the Service by virtue of being President),
- (ba) having been a Vice-President of the Tribunal, or a member of the panel of chairmen of the Tribunal, at the time of his appointment, he ceases to hold that office without being appointed to another of the senior offices of the Tribunal, or”.
- (5) For paragraph 9 substitute—
- “9        The Service shall not appoint an employee to be the clerk of the Tribunal without the consent of the President of the Tribunal.”
- (6) In paragraph 27 (interpretation), after the definition of “financial year” insert—
- ““senior member of the Tribunal” means a person holding one of the senior offices of the Tribunal;
- “senior offices of the Tribunal” means any of these offices—
- (a) President of the Tribunal;
- (b) Vice-President of the Tribunal;
- (c) member of the panel of chairmen of the Tribunal.”
- Constitutional Reform Act 2005 (c. 4)*
- 14            The Constitutional Reform Act 2005 is amended as follows.

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15	(1) Schedule 7 (protected functions of the Lord Chancellor) is amended in accordance with this paragraph. (2) In Part A of that Schedule (general), insert at the appropriate place—  <i>“Local Government Finance Act 1988</i> <i>Schedule 11, paragraph A7”</i>
16	(1) Schedule 14 (Judicial Appointments Commission: relevant offices and enactments) is amended in accordance with this paragraph. (2) In Part 3 of the Schedule, insert at the appropriate place—
“President of the Valuation Tribunal for England	Paragraph A7 of Schedule 11 to the Local Government Finance Act 1988
Vice-President of the Valuation Tribunal for England	Paragraph A7 of Schedule 11 to the Local Government Finance Act 1988
Member of the panel of chairmen of the Valuation Tribunal for England	Paragraph A7 of Schedule 11 to the Local Government Finance Act 1988
Other member of the Valuation Tribunal for England	Paragraph A7 of Schedule 11 to the Local Government Finance Act 1988”

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