

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

## SCHEDULES

### SCHEDULE 1

#### MISCELLANEOUS AMENDMENTS AND REPEALS

##### *Alterations of current valuation list*

- 12 (1) For section 70(2) of the principal Act there shall be substituted—
- “(2) The owner or occupier of the whole or any part of a hereditament to which the proposal relates may, within twenty-eight days from the date on which a copy of the proposal is transmitted to the occupier under subsection (1) of this section, serve on the valuation officer notice in writing of objection to the proposal; and where—
- (a) the rating authority for the area in which the hereditament is situated are not entitled to object by virtue of the foregoing provisions of this subsection; but
  - (b) the hereditament is of a class or description specified by the authority in accordance with subsection (6) of this section,
- the authority may, within twenty-eight days from the date on which a copy of the proposal is transmitted to them under subsection (1) of this section, serve on the valuation officer notice in writing of objection to the proposal.
- (3) Where the proposal was made otherwise than by the valuation officer, he shall, within twenty-eight days from the date on which a notice of objection is served on him under subsection (2) of this section, transmit a copy of it to the maker of the proposal.
- (4) Where the proposal was made by the valuation officer or by any other person, not being the rating authority, and—
- (a) a notice of objection is served on the valuation officer under subsection (2) of this section otherwise than by the rating authority; and
  - (b) the hereditament in question is of a class or description specified by the authority in accordance with subsection (6) of this section,
- the valuation officer shall, within twenty-eight days from the date on which the notice is served on him, transmit a copy of it to the authority.
- (5) The valuation officer shall, within twenty-eight days from the date on which a notice of objection is served on him under subsection (2) of this section, serve on the objector a notice in writing stating that unless—
- (a) the proposal is withdrawn ; or
  - (b) all notices of objection to the proposal are unconditionally withdrawn; or
  - (c) an agreement in respect of the proposal is reached under section 72 of this Act,

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

a copy of the proposal and of every notice of objection which has not been unconditionally withdrawn will be transmitted to the clerk of the local valuation panel in accordance with section 73 of this Act; and the notice shall explain that the transmission of a copy of the proposal will have effect as an appeal by the maker of the proposal against every objection signified by a notice of which a copy is transmitted.

(6) A rating authority may from time to time serve on the valuation officer for their area a notice in writing specifying a class or description of hereditament in respect of which they wish subsections (2) and (4) of this section to apply to them; and any such notice shall have effect in relation to any proposal made by or served on the valuation officer after the end of the rate period in which the notice is served.

(7) Where a notice served by a rating authority under subsection (6) of this section has effect in relation to a proposal of which a copy is transmitted to the authority under subsection (1) of this section and the authority do not serve a notice of objection to the proposal under subsection (2) of this section, the authority may serve on the valuation officer a notice in writing stating that they wish sections 72(2)(e) and 76(4)(d) of this Act to apply to them in respect of the proposal; and any notice under this subsection shall be served—

- (a) in the case of a proposal made by the valuation officer, within twenty-eight days from the date on which a copy of any notice of objection to the proposal is transmitted to the authority under subsection (4) of this section; and
- (b) in the case of any other proposal, within twenty-eight days from the date on which a copy of the proposal is served on the authority or from the date mentioned in paragraph (a) of this subsection.”

13 The following provisions of section 71 of the principal Act are hereby repealed—

- (a) in subsection (1)(b), paragraph (iii) together with the word " or " immediately preceding it; and
- (b) subsection (2).

14 In section 72(2) of the principal Act for paragraph (e) there shall be substituted—

- “(e) the rating authority for the area in which the hereditament is situated if—
- (i) the authority are not included by virtue of paragraph (b), (c) or (d) of this subsection; and
  - (ii) the authority have notified the valuation officer in accordance with section 70(7) of this Act that they wish this paragraph to apply to them.”.

15 The following provisions of section 73(2) of the principal Act are hereby repealed—

- (a) paragraph (a); and
- (b) in paragraph (b) the words in brackets.

16 For section 74 of the principal Act there shall be substituted—

- “74 (1) In the case of a proposal made under section 69 of this Act otherwise than by the valuation officer, the valuation officer may, at any time within the period of four months beginning with the date on which the proposal was served on him, give notice in writing to the maker of the proposal that the valuation

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

officer is satisfied that the proposal is well-founded ; but no notice shall be given under this subsection if a notice of objection to the proposal has been served within the time limited by section 70(2) of this Act and has not been unconditionally withdrawn.

(2) If in the case of any proposal to which subsection (1) of this section applies the valuation officer does not give a notice under that subsection and the proposal is not withdrawn, the valuation officer—

- (a) may at any time within the period mentioned in that subsection ; and
- (b) shall not later than the end of that period,

transmit to the clerk to the local valuation panel constituted under section 88 of this Act from the members of which the local valuation court would fall to be constituted a copy of the proposal together with a statement that the valuation officer objects to the proposal and a copy of any notice of objection to the proposal which has been served under section 70(2) of this Act and has not been unconditionally withdrawn.

(3) Where, in accordance with subsection (2) of this section, the valuation officer transmits a copy of a proposal to the clerk to a local valuation panel, the transmission shall have effect as an appeal to a local valuation court, by the person who made the proposal, against the objection by the valuation officer and against every objection signified by a notice of which a copy is transmitted with the copy of the proposal.

(4) The valuation officer shall serve on the maker of every proposal to which subsection (1) of this section applies a notice in writing stating the effect of subsections (2) and (3) of this section.

(5) Where the date referred to in subsection (1) of this section falls before the first anniversary of the coming into force of the valuation list to which the proposal relates, that subsection shall have effect as if for the words " four months " there were substituted the words " six months " .”>

17 In section 75(b) of the principal Act after " 73(2)" there shall be inserted the words " and 74(3) " .

18 In section 76(4) of the principal Act for paragraph (d) there shall be substituted—  
“(d) the rating authority for the area in which the hereditament is situated if—

- (i) the authority are not the appellant; and
- (ii) the authority have notified the valuation officer in accordance with section 70(7) of this Act that they wish this paragraph to apply to them ; and”.

19 Paragraphs 12 to 18 above shall have effect in relation to any proposal made by or served on the valuation officer on or after 1st April 1985, but where—

- (a) a proposal is made by or served on the valuation officer before that date; and
  - (b) a further proposal in respect of the same hereditament is made by or served on him on or after that date and before the first proposal has been settled,
- those paragraphs shall not have effect in relation to the further proposal.