



Local Government Act 1948

1948 CHAPTER 26

PART VIII

GENERAL.

144 Interpretation.

(1) In this Act, except so far as the contrary is expressly provided or the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

" Minister " means the Minister of Health ;

" local authority " means the council of a county, county borough, metropolitan borough or county district, or the Common Council of the City of London ;

" year " means a period of twelve months beginning with the first day of April;

" rating area ", " rate ", " owner ", " hereditament " and " clerk " have (in relation to London as well as the remainder of England and Wales) the meanings assigned to them by section sixty-eight of the Rating and Valuation Act, 1925 ;

" garden " includes a park ;

" railway " includes a light railway and a tramway authorised to be constructed by any special Act, other than a light railway or tramway laid wholly or mainly along a public highway and used wholly or mainly for the carriage of passengers ;

" inland waterway " includes any such waterway, whether natural or artificial ;

" statutory provision " means a provision, whether of a general or special nature, contained in, or in any document made or issued under, any Act, whether of a general or special nature.

(2) Any reference in this Act to the rateable value for an area for a year shall be construed as a reference to the total of rateable values shown on the first day of that year in the

valuation list in force on that day for that area, or, where there is more than one rating area in that area, to the aggregate of the totals of rateable values shown as aforesaid in the valuation lists for all the rating areas within the area:

Provided that—

- (a) where any alteration required to be made under Part V of this Act in the said lists is made after the date as from which, under the said Part V, it has effect, account shall be taken thereof for the purposes of this subsection as if it had been made in the lists as in force on that date ;
 - (b) as respects any rating area in London, the references in this subsection to the first day of the year shall, in relation to the first year in which the first new valuation list made under Part III of this Act is in force, and previous years, be construed as references to the sixth day of April in that year.
- (3) Any reference in this Act to the product of a rate of a specified sum in the pound for any area shall be construed as a reference to the aggregate of the product of a rate of one penny in the pound for all the rating areas within the area multiplied by the number of pence in the said sum.
- (4) The product of a rate of one penny in the pound for a rating area shall, for the purposes of this Act, be taken to be the product of a penny rate for that area as ascertained or estimated for the purpose of subsection (2) of section nine of the Rating and Valuation Act, 1925 :

Provided that—

- (a) in the case of an area in London, the product of a penny rate for the area shall, as respects years as respects which the said subsection (2) does not extend to London, be taken to be the product of a penny rate for the area as ascertained or estimated by the district auditor in accordance with the principles for the time being applicable outside London to the ascertainment and estimation of the product of a penny rate for the purposes of the said section nine ;
 - (b) nothing in this, subsection detracts from the provisions of this Act enabling the Minister to make regulations as respects the way in which payments for the benefit of local authorities under Part V of this Act are to be treated.
- (5) Any reference in this Act to the aggregate gross charge to rates for any year for any area shall be construed as a reference to the total of the amounts required to be paid by virtue of all the rates made by all the authorities in the area for the year or any part thereof, calculated as if, in the case of each hereditament, the amount payable were that ascertained by applying the poundage of the rate to the rateable value of the hereditament, without any allowance or deduction.
- (6) In this Act, the expression 1947-48 means the year ending on the thirty-first day of March, nineteen hundred and forty-eight, and any corresponding expression in which two years are similarly mentioned means the year ending on the thirty-first day of March in the second mentioned of those two years.
- (7) In this Act, the expression " the North of Scotland District " means, as respects any period up to and including the vesting date within the meaning of the Electricity Act, 1947, the North of Scotland District as existing on that date for the purposes of that Act, and, as respects any subsequent period, means that District as for the time being existing for the purposes of that Act.
- (8) Any references in this Act to a local authority in a county shall be construed as including only local authorities whose areas form part of the county.

- (9) Any reference in this Act to the alteration of a valuation list or draft valuation list includes a reference to the insertion in the list or draft list, or the omission from the list or draft list, of any hereditament, and references to the alteration of the valuation list with respect to a hereditament shall be construed accordingly.
- (10) Except so far as the context otherwise requires, any reference in this Act to any other enactment shall be construed as a reference to that enactment as amended, extended or applied by or under any other enactment, including this Act.