
 STATUTORY INSTRUMENTS

1981 No. 326

RATING AND VALUATION

The Mixed Hereditaments (Certificate) (Amendment) Regulations 1981

<i>Made - - - -</i>	<i>4th March 1981</i>
<i>Laid before Parliament</i>	<i>11th March 1981</i>
<i>Coming into operation</i>	<i>1st April 1981</i>

The Secretary of State for the Environment, in exercise of the powers conferred by section 48(6) of the General Rate Act 1967 (a) and now vested in him (b) and all other powers enabling him in that behalf, hereby makes the following regulations:—

1. These regulations may be cited as the Mixed Hereditaments (Certificate) (Amendment) Regulations 1981 and shall come into operation on 1st April 1981.

2. In these regulations—

“the principal regulations” means the Mixed Hereditaments (Certificate) Regulations 1967 (c);

“the relevant proportion” means the proportion of the rateable value of the hereditament attributable to the part of the hereditament used for the purposes of a private dwelling or private dwellings;

“domestic hereditament” has the same meaning as in section 48 of the General Rate Act 1967.

3. In regulation 2(3) of the principal regulations, for the definition of “certificate” there shall be substituted:—

“ “certificate” means a certificate given under these regulations that as at the date thereof the relevant proportion is or, as the case may be, is not, greater than one half, greater than one quarter but not greater than one half or greater than one eighth (any part of the hereditament used for the letting of rooms singly for residential purposes, whether by way of tenancy or licence and either with or without board or other services or facilities, or used as sites for movable dwellings within the meaning of section 269 of the Public Health Act 1936 (d) being treated as used for purposes other than those of a private dwelling or dwellings);”.

(a) 1967 c. 9; section 48 of the General Rate Act 1967 was amended by the Local Government, Planning and Land Act 1980 (c.65), section 33.

(b) S.I. 1970/1681.

(c) S.I. 1967/637.

(d) 1936 c.49.

4. For regulation 3 of the principal regulations there shall be substituted:—

“3.—(1) The occupier of a hereditament who is dissatisfied by the view taken by the rating authority for the purposes of section 48 (reduction of rates on dwellings by reference to domestic rate relief grants) may apply in writing to the valuation officer for a certificate.

(2) For the purposes of the foregoing paragraph of this regulation, a rating authority shall be deemed to have taken the view that the relevant proportion is not greater than one eighth if, within 28 days of the written application by the occupier they fail to notify him in writing of their view for the purposes of the said section 48 or to issue in respect of the hereditament an amended demand note reducing in accordance with section 48(1)(b) the amount of the rate levied on the hereditament.”.

5. In regulations 7(3), 8(2) and 11(2) of the principal regulations for the words “the opposite” there shall be substituted the word “different”.

6. In regulation 12(1)(c) of the principal regulations for the word “dwelling-house” there shall be substituted the words “domestic hereditament”.

4th March 1981.

Michael R. D. Heseltine,
Secretary of State for
the Environment.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations amend the Mixed Hereditaments (Certificate) Regulations 1967. They reflect amendments made to section 48 of the General Rate Act 1967 by section 33 of the Local Government, Planning and Land Act 1980. Section 48 provides for the reduction of rate poundage on domestic and mixed hereditaments by reference to domestic rate relief grant. The regulations come into effect on 1st April 1981.

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