
STATUTORY INSTRUMENTS

1990 No. 776

**The Local Government Finance (Repeals, Savings
and Consequential Amendments) Order 1990**

Certification of rateable value for certain housing purposes

5.—(1) This article applies for the purposes of the application of the enactments referred to in paragraph (2) in relation to a house, premises or other property—

- (a) in respect of which a tenancy was entered into before 1st April 1990; and
- (b) which was capable of beneficial occupation immediately before that date; and
- (c) in respect of which the requirements of paragraph (3) or (4) are satisfied.

(2) The enactments referred to in paragraph (1) are—

- (a) section 186 of the Local Government and Housing Act 1989⁽¹⁾;
- (b) Part I of the Housing Act 1988⁽²⁾;
- (c) the Rent Act 1977⁽³⁾;
- (d) the Rent (Agriculture) Act 1976⁽⁴⁾;
- (e) the Leasehold Reform Act 1967⁽⁵⁾;
- (f) Part I of the Landlord and Tenant Act 1954⁽⁶⁾;
- (g) Part II of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951⁽⁷⁾.

(3) The requirements of this paragraph are that—

- (a) immediately before 1st April 1990, no rateable value was assigned to the property for the purposes of the 1967 Act; and
- (b) no proposal to enter the property in a valuation list maintained for the purposes of that Act immediately before 1st April 1990 was outstanding at that time.

(4) The requirements of this paragraph are that—

- (a) an entry appeared in a valuation list in force immediately before 1st April 1990; and
- (b) structural alterations were completed between the date on which that entry was made and 1st April 1990; and
- (c) immediately before 1st April 1990, no proposal was outstanding in respect of the alteration of that entry consequent upon the completion of the alterations.

(5) On the application of the landlord or the tenant of property to which this article applies, the valuation officer shall certify the amount which, but for the repeal of the 1967 Act, he would, in accordance with section 69(2) of that Act, have proposed—

(1) 1989 c. 42.
(2) 1988 c. 50.
(3) 1977 c. 42.
(4) 1976 c. 80.
(5) 1967 c. 88.
(6) 1954 c. 56.
(7) 1951 c. 65.

- (a) where the requirements of paragraph (3) are satisfied, as the amount to be entered in a valuation list maintained immediately before 1st April 1990 for the purposes of that Act as the rateable value of the property in question; or
 - (b) where the requirements of paragraph (4) are satisfied, by way of alteration of the valuation list.
- (6) An application under paragraph (5) shall be accompanied by particulars of the name and address of the person (other than the applicant) who is then the landlord or, as the case may be, the tenant of the property and of any other person who is known to the applicant to have an interest in the property.
- (7) Before providing the certificate referred to in paragraph (5) the valuation officer shall—
- (a) give not less than four weeks' notice in writing to the applicant and to every person whose name and address have been provided as mentioned in paragraph (6) of the amount that he proposes to certify;
 - (b) consider the representations (if any) made to him within the period of four weeks beginning on the date on which the notice was given.
- (8) The amount specified in any certificate issued in accordance with paragraph (5) shall be treated, for the purposes mentioned in paragraph (1), as the amount entered in a valuation list in force immediately before 1st April 1990 as the rateable value of the property in question.
- (9) For the purposes of paragraphs (5) and (6)—
- (a) “tenant” includes a statutory tenant within the meaning of the Rent Act 1977 or the Rent (Agriculture) Act 1976; and
 - (b) “landlord”, in relation to a statutory tenant, means the person who, apart from the statutory tenancy, would be entitled to possession of the property.