
STATUTORY INSTRUMENTS

1996 No. 137 (S.10)

RATING AND VALUATION

**The Valuation Appeal Panels and
Committees (Scotland) Regulations 1996**

<i>Made</i>	- - - -	<i>23rd January 1996</i>
<i>Laid before Parliament</i>		<i>26th January 1996</i>
<i>Coming into force</i>	- -	<i>29th January 1996</i>

The Secretary of State, in exercise of the powers conferred on him by section 29 of the Local Government etc. (Scotland) Act 1994⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Valuation Appeal Panels and Committees (Scotland) Regulations 1996 and shall come into force on 29th January 1996.

(2) In these Regulations, except where the context otherwise requires—

“the Act” means the Local Government etc. (Scotland) Act 1994;

“the appropriate authority or authorities” means—

- (a) in relation to the panel serving the area specified in regulation 2(d) below, the City of Glasgow Council and the Dunbartonshire and Argyll and Bute Valuation Joint Board; and
- (b) in relation to any other panel, the council or joint board which exercises functions under the Valuation Acts for the area served by the panel;

“panel” means a valuation appeal panel referred to in regulation 2 below;

“sheriff”, in relation to panel, means the sheriff principal with responsibility, under section 29 of the Act, for appointing the members of that panel.

Constitution of panels

2. Thirteen valuation appeal panels shall, for the purpose mentioned in subsection (1)(a) of section 29 of the Act, be constituted in accordance with the provisions of that section and with these Regulations to serve—

- (a) the valuation area of Dumfries and Galloway;

(1) 1994 c. 39.

- (b) the valuation area of Fife;
- (c) the valuation area of the Scottish Borders;
- (d) the area consisting of the valuation areas of the City of Glasgow, Argyll and Bute, West Dunbartonshire and East Dunbartonshire;
- (e) each area (other than an area falling within the area specified in paragraph (d) above) for which a joint board established under the Valuation Joint Boards (Scotland) Order 1995(2) exercises functions under the Valuation Acts.

Members of panels

3.—(1) Each panel shall, subject to paragraph (2) below, consist of such number of members as seems to the sheriff appropriate.

(2) Each panel shall have at least 12 members.

4.—(1) One half, or as near as may be, of members appointed to each panel before 1st April 1996 shall be appointed for a term ending on 30th September 1997 and the remainder of such members shall be appointed for a term ending on 30th September 2000.

(2) Any member appointed to a panel on or after 1st April 1996 shall be appointed for a term not exceeding 5 years.

(3) On the expiry of a member's terms of office, he shall, subject to paragraph (4) below, be eligible for re-appointment.

(4) No person shall be appointed to a panel for a term of office which would commence after his reaching the age of 70 years.

5. The secretary of a panel shall—

- (a) at least 6 months before the term of office of any member is due to expire, give notice of that fact to the sheriff; and
- (b) as soon as possible after any person ceases to be a member other than on the expiry of his term of office, give notice of that fact to the sheriff.

Chairman and deputy chairman

6.—(1) The sheriff shall, after such consultation as he thinks fit, appoint from the panel members a chairman and such number of deputy chairmen as he considers necessary.

(2) Any person appointed as chairman or deputy chairman of a panel shall hold office for the term of his current appointment as a panel member but shall, if re-appointed as a member, be eligible for re-appointment as chairman or deputy chairman.

Secretary and assistant secretaries

7.—(1) The sheriff shall appoint a secretary of the panel and, if the sheriff considers it necessary, an assistant secretary or assistant secretaries.

(2) The remuneration and allowances to be paid to the secretary and any assistant secretary of the panel, and their conditions of employment, shall be such as may be agreed between the appropriate authority or authorities and the sheriff or, failing agreement, as may be determined by the Secretary of State.

Termination of appointment

8. If the sheriff is of the opinion that there is good reason for doing so, he may at any time—
- (a) with the consent of the Lord President of the Court of Session, terminate the appointment of a panel chairman, deputy chairman or other member; or
 - (b) terminate the appointment of a panel secretary or assistant secretary.

Valuation appeal committees

9.—(1) The chairman of each panel shall from time to time appoint panel members to be members of a valuation appeal committee or such valuation appeal committees as he may deem requisite.

(2) The chairman may delegate the exercise of his functions under paragraph (1) above to a deputy chairman of the panel and, in the event of the chairman being incapacitated by illness, the sheriff may appoint a deputy chairman to exercise those functions until the chairman has recovered.

10.—(1) Each valuation appeal committee shall consist of a committee chairman and not less than 3, nor more than 6, other members.

(2) The quorum of a valuation appeal committee shall be 3.

(3) The chairman of a valuation appeal committee shall be the panel chairman or a panel deputy chairman but, if no such person is in attendance at a meeting of the committee, the members present shall elect a chairman for that meeting from their number.

(4) At any meeting of a valuation appeal committee, the chairman of that meeting shall have a casting vote.

11. A valuation appeal committee shall sit—

- (a) at such place or places within the area served by the panel from which members of the committee are drawn; and
- (b) at such times,

as the chairman of that panel shall decide, having consulted with the appropriate authority or authorities and having had due regard to the convenience of panel members and the parties who are to appear before the committee.

Allowances for members

12. A member of a panel shall be entitled to receive payment of such allowances in respect of the performance by him of his duties as a member of the panel, or of one of the valuation appeal committees selected from the panel, as may be determined by the Secretary of State.

Accommodation, services and expenses

13. The appropriate authority or authorities shall provide for the panel and any valuation appeal committee such accommodation and services as may be requisite for the panel and committee to exercise their functions.

14.—(1) Except in the case provided for in paragraph (2) below, all expenses incurred by a panel or a valuation appeal committee (including remuneration and allowances payable under regulations 7(2) and 12 above) shall be defrayed by the appropriate authority.

(2) In the case of the panel serving the area specified in regulation 2(d) above, all such expenses as are referred to in paragraph (1) above shall be defrayed by the City of Glasgow Council and the Dunbartonshire and Argyll and Bute Valuation Joint Board in such proportions as they may agree or, on the case of disagreement, as may be determined by the Secretary of State.

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

St. Andrew's House,
Edinburgh
23rd January 1996

George Kynoch
Parliamentary Under Secretary of State, Scottish
Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations constitute 13 valuation appeal panels for the valuation areas referred to in regulation 2 for the purpose of hearing appeals under the Valuation Acts and council tax appeals, pursuant to local government re-organisation in Scotland.

Regulation 3 provides that the sheriff shall determine the number of members of a panel, although each panel shall have at least 12 members. Regulations 4 and 5 provide for the appointment and term of office of a panel member, and requirements as to notice to the sheriff when a person ceases to be a panel member.

Regulations 6 and 7 deal with the appointment of a panel chairman (and deputy chairmen) and a secretary (and assistant secretary) of the panel. Regulation 8 deals with termination of such appointments.

Regulations 9 to 11 provide for the appointment of members and a chairman of a valuation appeal committee and for the places where such a committee shall sit.

Regulations 12 to 14 deal with allowances to panel and committee members, provision of accommodation and services and the defraying of the costs of panels and committees.