STATUTORY INSTRUMENTS

2015 No. 982

The Council Tax and Non-Domestic Rating (Powers of Entry: Safeguards) (England) Order 2015

Amendment of the Local Government Finance Act 1988

- **2.**—(1) Schedule 9 to the Local Government Finance Act 1988(1) is amended as follows.
- (2) Before paragraph 7, after the heading "Power of entry" insert—
 - (1) If a valuation officer needs to value a hereditament in England for the purpose of carrying out functions conferred or imposed on the officer by or under this Part, the officer and any person authorised by the officer in writing may enter on, survey and value the hereditament if sub-paragraphs (2) and (4) are fulfilled and (where it applies) subparagraph (5) is fulfilled.
 - (2) The valuation officer must obtain the approval of the tribunal before the officer or a person authorised by the officer exercises the power under sub-paragraph (1).
 - (3) The tribunal must not give its approval unless it is satisfied that the valuation officer needs to value the hereditament.
 - (4) After the tribunal has given its approval, at least 3 days' notice in writing must be given of the proposed exercise of the power.
 - (5) In a case where a person authorised by the valuation officer proposes to exercise the power, the person must if required produce the authorisation.
 - (6) A person who wilfully delays or obstructs a person in the exercise of a power under this paragraph is liable on summary conviction to a fine not exceeding level 1 on the standard scale.
 - (7) For the purpose of the requirement under sub-paragraph (4), the following days are to be disregarded—
 - (a) a Saturday, a Sunday, Christmas Day or Good Friday;
 - (b) a day which is a bank holiday under the Banking and Financial Dealings Act 1971(2) in England and Wales.
 - (8) The tribunal may—
 - (a) determine any application brought under this paragraph and any question arising from that application;
 - (b) specify the arrangements by which any entry approved by it must be conducted, including whether the entry may occur on more than one day.
 - (9) In this paragraph "the tribunal" means the First-tier Tribunal.".
- (3) In paragraph 7(1) after "a hereditament" insert "in Wales".

^{(1) 1988} c. 41.

^{(2) 1971} c. 80.

Status: This is the original version (as it was originally made).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