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STATUTORY INSTRUMENTS

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**2015 No. 982**

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

**Amendment of the Local Government Finance Act 1992**

3.—(1) The Local Government Finance Act 1992(1) is amended as follows.

(2) Before section 26, after the heading “Supplemental” insert—

**“25A. Powers of entry: England**

(1) If a valuation officer needs to value a dwelling in England for the purpose of carrying out any of the officer’s functions, the officer and any servant of the Crown authorised by the officer in writing may enter on, survey and value the dwelling if subsections (2) and (4) are fulfilled and (where it applies) subsection (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 subsection (1).

(3) The tribunal must not give its approval unless it is satisfied that the valuation officer needs to value the dwelling.

(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 a valuation officer proposes to exercise the power, that person must if required produce the authorisation.

(6) A person who intentionally delays or obstructs a person in the exercise of a power under this section is liable on summary conviction to a fine not exceeding level 1 on the standard scale.

(7) For the purpose of the requirement under subsection (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 section 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 section—

“the tribunal” means the First-tier Tribunal, and

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(1) 1992 c. 14.

(2) 1971 c. 80.

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**Status:** This is the original version (as it was originally made).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

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“valuation officer” means any listing officer and any other officer of Revenue and Customs who is for the time being appointed by the Commissioners of Her Majesty’s Revenue and Customs to carry out any of their functions.”.

- (3) In section 26—
- (a) in the title of the section, at the end insert “: Wales”, and
  - (b) in subsection (1) after “a dwelling” insert “in Wales”.