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STATUTORY INSTRUMENTS

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**2006 No. 2954**

**The Rates (Amendment) (Northern Ireland) Order 2006**

**PART V**

**APPLICATIONS AND APPEALS**

*Appeals from the Commissioner and the Valuation Tribunal*

**Appeals from the Commissioner and the Valuation Tribunal**

**33.** For Article 54 of the principal Order (appeal to Lands Tribunal from decision of Commissioner) there shall be substituted the following Articles—

**“Appeal from decision of Commissioner**

**54.—**(1) Any person, other than the Department, who is aggrieved by—

- (a) the decision of the Commissioner under Article 49A or on an appeal under Article 51; or
- (b) an alteration made by the Commissioner in a valuation list in consequence of such a decision,

may appeal to the appropriate Tribunal.

(2) On an appeal under this Article the Tribunal may—

- (a) make any decision that the Commissioner might have made; and
- (b) if any alteration in a valuation list is necessary to give effect to the decision, direct that the list be altered accordingly.

(3) On an appeal under this Article, any valuation shown in a valuation list with respect to a hereditament shall be deemed to be correct until the contrary is shown.

(4) In this Order “the appropriate Tribunal” means—

- (a) in relation to such appeals as may be prescribed, the Valuation Tribunal;
- (b) in relation to any other appeals, the Lands Tribunal.

**Appeal from decision or direction of Valuation Tribunal**

**54A.—**(1) Any person who is aggrieved by any decision or direction of the Valuation Tribunal under Article 13(3) or 54(2) may, with the leave of—

- (a) the Lands Tribunal; or
- (b) the President of the Valuation Tribunal,

appeal to the Lands Tribunal.

(2) For the purposes of paragraph (1), the Commissioner shall be treated as a person aggrieved by a decision or direction of the Valuation Tribunal under Article 13(3) relating to a determination made by the Department.

(3) On an appeal under this Article the Lands Tribunal may—

- (a) make any decision that the Valuation Tribunal might have made;
- (b) if any alteration in a valuation list is necessary to give effect to the decision, direct that the list be altered accordingly;
- (c) remit the appeal or any matter arising on it to the Valuation Tribunal with such declarations or directions as the Lands Tribunal thinks proper.

(4) The Valuation Tribunal shall have regard to any declarations and obey any directions under paragraph (3)(c).

(5) On an appeal under this Article, any valuation shown in a valuation list with respect to a hereditament shall be deemed to be correct until the contrary is shown.”.