

SCHEDULES

SCHEDULE 2

AMENDMENTS

The principal Order

- 41.**—(1) Amend Schedule 5 (definition of “dwelling-house”, etc.) as follows.
- (2) For paragraph 1 substitute the following paragraph—
- “**1.** In this Order—
- “dwelling-house” means, subject to paragraphs 2 to 5, a hereditament used wholly for the purposes of a private dwelling;
- “private garage” has the meaning given by paragraph 6;
- “private storage premises” has the meaning given by paragraph 7.”.
- (3) In paragraph 2, after sub-paragraph (4), add the following sub-paragraph—
- “(5) The following shall be deemed not to be used for the purposes of a private dwelling—
- (a) so much of an area of a caravan site which is valued as a single hereditament under sub-paragraph (1) of paragraph 2 of Part XIII of Schedule 12 as is not in the occupation of the site operator;
- (b) a caravan pitch which is a separate hereditament in the circumstances mentioned in that sub-paragraph but in relation to which the district valuer has not exercised the power conferred by that sub-paragraph.”.
- (4) In paragraph 3(a) and (b), after “garden,” insert “park, pleasure ground,”.
- (5) In paragraph 4(2), for “the hereditament, to the extent of so much of its net annual value as is apportioned to that part,” substitute “that part”.
- (6) After paragraph 4 insert the following paragraph—
- “**4ZA.**—(1) A hereditament or part of a hereditament shall be deemed not to be used for the purposes of a private dwelling if it is—
- (a) held by the Secretary of State for the purposes of armed forces accommodation; and
- (b) situated within the perimeter of a military establishment.
- (2) In this paragraph “military establishment” means an establishment used by any of Her Majesty’s forces.”.
- (7) Omit paragraph 4A.
- (8) In paragraph 5—
- (a) for “this Schedule” substitute “paragraphs 1 to 4ZA”;
- (b) omit sub-paragraph (d).

Status: This is the original version (as it was originally made).

(9) After paragraph 5 add the following paragraphs—

“6.—(1) In this Order “private garage” means, subject to sub-paragraph (2), a hereditament which is used wholly or mainly for the accommodation of a motor vehicle.

(2) For the purposes of sub-paragraph (1) a hereditament which is used—

(a) for the purposes of a trade or business; or

(b) by a charity, a public body or any other body that is not established or conducted for profit,

is not a private garage.

(3) In sub-paragraph (2)—

“charity” means a body established for charitable purposes only;

“public body” means—

(a) a body established by or under a statutory provision; or

(b) a department of the Government of the United Kingdom.

7.—(1) In this Order “private storage premises” means a hereditament which is used wholly in connection with a dwelling-house or dwelling-houses and so used wholly or mainly for the storage of domestic articles belonging to the residents.

(2) In sub-paragraph (1)—

“domestic articles” means—

(a) household stores and other articles for domestic use;

(b) light vehicles, whether mechanically-propelled or not;

“residents” means persons residing in the dwelling-house or dwelling-houses referred to in sub-paragraph (1).

8. The Department may by regulations modify paragraphs 1 to 7.”.