

SCHEDULES

SCHEDULE 1

Article 3(3)

DEFINITION OF “DWELLING-HOUSE”, ETC.

1.—(1) Subject to sub-paragraph (2), Schedule 5 to the principal Order (definition of “dwelling-house”, etc.) shall have effect for the purposes of Part II of this Order as it has effect for the purposes of the principal Order.

(2) For the purposes of this Order, Schedule 5 to the principal Order (definition of “dwelling-house”, etc.) shall have effect as if—

(a) in paragraph 2 there were added after sub-paragraph (4)—

“(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;

(c) a caravan pitch which is entered separately in the valuation list following an application under sub-paragraph (2) of that paragraph.”;

(b) in paragraph 3(a) and (b), after the word “garden,” there were inserted the words “park, pleasure ground,”;

(c) in paragraph 4(2), for the words “the hereditament, to the extent of so much of its net annual value as is apportioned to that part,” there were substituted the words “that part”;

(d) after paragraph 4 there were inserted—

“**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.”;

(e) paragraph 4A were omitted;

(f) in paragraph 5 sub-paragraph (d) were omitted.

(3) For the purposes of this Order, the principal Order shall have effect as if paragraph 2(3) of Part XIII of Schedule 12 to the principal Order were omitted.

2.—(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.

Status: This is the original version (as it was originally made).

(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.

3.—(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).

4.—(1) The Department may by regulations modify paragraphs 1 to 3.

(2) In sub-paragraph (1) “modify” has the same meaning as in the principal Order.

(3) Regulations shall not be made under this paragraph unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.