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STATUTORY INSTRUMENTS

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**1990 No. 1382**

**LANDS TRIBUNAL**

**The Lands Tribunal (Amendment) Rules 1990**

*Made* - - - - *5th July 1990*

*Coming into force* - - *1st August 1990*

The Lord Chancellor, in exercise of the powers conferred on him by section 3 of the Lands Tribunal Act 1949(1) and by section 28(6) of the Law of Property Act 1969(2), after consultation with the Council on Tribunals in accordance with section 10 of the Tribunals and Inquiries Act 1971(3), and with the approval of the Treasury in regard to fees, hereby makes the following Rules—

1. These Rules may be cited as the Lands Tribunal (Amendment) Rules 1990 and shall come into force on 1st August 1990.

2. For Schedule 2 to the Lands Tribunal Rules 1975(4) there shall be substituted the following Schedule:—

“SCHEDULE 2

FEES

Item	Fee £
<b>Notices of appeal and reference, and applications</b>	
<b>1. —</b>	<b>30</b>
(1) On lodging a notice of appeal under Part I or Part III of these Rules (not being an appeal against a determination by the Commissioners of Inland Revenue under the Finance (1909—1910) Act 1910 or under the Finance Act 1975) and on a notice of reference under Part IV of these Rules (not being a reference under	

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(1) 1949 c. 42; section 3 was amended by paragraph 3 of Schedule 33 to the Local Government, Planning and Land Act 1980 (c. 65).  
(2) 1969 c. 59.  
(3) 1971 c. 62.  
(4) S.I.1975/299, amended by S.I. 1977/1820, 1981/105 and 600, 1984/793 and 1986/1322.

Item	Fee £
section 47(1) or section 47A of the Taxes Management Act 1970	
(2) On lodging an application for a determination under Schedule II to the Compulsory Purchase Act 1965 and section 58 of the Land Clauses Consolidation Act 1845	50
2. On lodging a notice of appeal under Part II of these Rules—	
(1) where net annual value does not exceed £500	10
(2) where net annual value exceeds £500 but not £1,250	35
(3) where net annual value exceeds £1,250 but not £5,000	100
(4) where net annual value exceeds £5,000 but not £50,000	150
(5) where net annual value exceeds £50,000	500
3. On lodging an application under Part V of these Rules	120
4. On lodging an application under Part VI of these Rules —	
(1) for a definitive certificate	110
(2) for a temporary and definitive certificate	120
5. On an application to the President, Tribunal or registrar	20
<i>Hearing Fees</i>	
6. —	
(1) On an appeal against the decision of a valuation and community charge tribunal and on an appeal by way of a reference by consent—	
(i) where net annual value does not exceed £500	17
(ii) where net annual value exceeds £500 but not exceeding £1,000	45
(iii) where net annual value exceeds £1,000 but not £5,000	90
(iv) where net annual value exceeds £5,000—	
(a) for the first £5,000	90 subject to a maximum fee of £3,000

Item	Fee £
(b) for every £200 or fraction of £200 over £5,000	10 subject to a maximum fee of £3,000
<p>(2) On an appeal against a determination under Part I (not being a determination by the Commissioners of Inland Revenue under the Finance (1909-10) Act 1910 or under the Finance Act 1975) or on a reference under Part IV of these Rules (not being a reference on a dispute as to water rates or under section 47(1) or section 47A of the Taxes Management Act 1970) or on an application for a certificate of value—</p> <p>where the amount awarded or determined by the Tribunal or agreed by the parties following a hearing—</p>	
(i) does not exceed £500	28
(ii) exceeds £500—	
(a) for the first £500	28 subject to a maximum fee of £3,000
(b) for every £100 or fraction of £100 over £500	2 subject to a maximum fee of £3,000
<p>(3) On an appeal or reference where the award is in terms of rent or other annual payment, the following scale of fees shall be substituted for those payable under paragraph (2) above—</p> <p>where the amount awarded—</p>	
(i) does not exceed £100 per annum	22
(ii) exceeds £100 per annum—	
(a) for the first £100 per annum	22 subject to a maximum fee of £2,000
(b) for every £100 or fraction of £100 over £500	1 subject to a maximum fee of £2,000
(4) On the hearing of an application or the making of an order under Part V of these Rules	150
(5) On the hearing of any other appeal or reference (not being an appeal against a determination by the Commissioners of Inland Revenue under the Finance (1909-10) Act 1910 or under the Finance Act 1975 or a reference under section 47(1) or section 47A of the Taxes Management Act 1970) in which no fee is payable by reference to an amount awarded	50

#### *Copies of Documents*

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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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Item	Fee £
7. For a certified copy of any document, for each page	1
8. For a copy of any document, or for examining a plain copy and marking it as an office copy, per page—	
(1) Typewritten	0.50
(2) Carbon or photographic	0.25
<i>Other fees</i>	
9. On a case for the decision of the Court of Appeal	20
10. On a taxation of costs or expenses, for every £1 or part thereof allowed	0.05

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#### **Directions for payment**

11. A notice, application or other document in respect of which a fee is payable shall, if sent by post, be accompanied by a cheque or postal order drawn in favour of Her Majesty's Paymaster General for the amount of the fee."

Dated 13th June 1990

*Mackay of Clashfern, C.*

We approve the fees prescribed by these Rules in respect of proceedings before the Lands Tribunal.

Dated 5th July 1990

*John Taylor*  
*David Lightbown*  
Two of the Lords Commissioners of Her Majesty's Treasury

## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules increase the fees payable in connection with proceedings before the Lands Tribunal as follows:—

- (i) two new fees bands (fees 2(4) and 2(5) ) have been introduced for lodging appeals under Part II;
- (ii) maximum fees for hearings have been increased by 50% (fees 6(1)(iv) and 6(2)(ii) and 30% (fee 6(3)(ii));
- (iii) fees for other appeals, references and applications have been increased by approximately one third;
- (iv) hearing fees have been increased by about 13% in cases not affected by the new maxima; and
- (v) the fee for a case for the decision of the Court of Appeal has been increased by 100%.