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STATUTORY INSTRUMENTS

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**1991 No. 1**

**The Valuation and Community Charge Tribunals  
(Amendment)(London) Regulations 1991**

**PART III**

**TRANSITIONAL PROVISIONS**

**Membership**

5.—(1) Notwithstanding regulation 4(2) of the principal Regulations, each member appointed to the Central London Valuation and Community Charge Tribunal by the council of a transferred borough shall, on and after the transfer day, continue to hold office as a member of that Tribunal until that office terminates in accordance with regulation 6(2) of the principal Regulations.

(2) On the termination of an office of a member to whom paragraph (1) applies, the vacancy arising shall be filled by a person appointed by the Common Council or by Westminster City Council.

(3) Subject to regulation 8, each member of the London South West Valuation and Community Charge Tribunal (“the South West Tribunal”) appointed by the council of the London borough of Lambeth shall, on the transfer day—

- (a) cease to be a member of that Tribunal;
- (b) become a member of the London South East Valuation and Community Charge Tribunal (“the South East Tribunal”); and
- (c) hold office as a member of the South East Tribunal as if the unexpired period of his membership of the South West Tribunal specified under regulation 6(1) of the principal Regulations had been specified in relation to the South East Tribunal.

**Presidents**

6.—(1) Where on the operative day the president for the time being of a London tribunal is a person appointed as a member of that tribunal by the council of a transferred borough, that person shall cease to hold office as president at the end of the day immediately preceding the transfer day.

(2) Paragraph (1) does not apply where the office of the president terminates before the transfer day in accordance with regulation 7(8) of the principal Regulations.

(3) Where paragraph (1) applies, regulation 7 of the principal Regulations shall have effect as if—

- (a) the prescribed period were three months beginning on the operative day; and
- (b) where notice of election is given before the transfer day, persons who become members of the tribunal on the transfer day by virtue of these Regulations were entitled to receive notice of, and vote in, the election.

**Transferred appeals**

7.—(1) This regulation applies to any appeal to a London tribunal which—

- (a) was initiated before the transfer day, and
  - (b) would, had it been initiated on or after the transfer day, have fallen by virtue of these Regulations to be disposed of by a different tribunal (the “new tribunal”);
- and in relation to which—
- (c) if the appeal is such as may be disposed of by written representations, there has not been given such written agreement as would enable it so to be disposed of; and
  - (d) no notice of a hearing has been given.
- (2) An appeal to which this regulation applies shall be transferred to, and disposed of by, the new tribunal; and on and after the transfer day the relevant statutory provisions shall apply as if anything done in relation to the appeal by the clerk, the president or a chairman of the tribunal from which it is transferred had been done by the clerk, or as the case may be the president or a chairman of, the new tribunal.
- (3) In this regulation “the relevant statutory provisions” means—
- (a) in relation to appeals under section 23 of the Local Government Finance Act 1988, the principal Regulations;
  - (b) in relation to appeals under Schedule 4A to that Act<sup>(1)</sup> (completion notices) or under the 1990 Regulations, those Regulations;
  - (c) in relation to appeals under the General Rate Act 1967<sup>(2)</sup>, that Act; and
  - (d) in relation to appeals under the Mixed Hereditaments (Certificate) Regulations 1967<sup>(3)</sup>, those Regulations.

### **Non-transferred appeals**

**8.** Any appeal which, on the transfer day, has begun to be disposed of by the London South West Valuation and Community Charge Tribunal (whether by way of commencement of consideration of written representations, or of commencement of a hearing) shall continue to be disposed of by that Tribunal notwithstanding that any member appointed to dispose of the appeal ceases by virtue of the preceding provisions of these Regulations to be a member of that tribunal on that day; and any such member shall continue to be a member of that Tribunal—

- (a) so far as is necessary for that purpose of disposing of that appeal; and
- (b) for the purpose of regulation 31 (review of decisions) of the principal Regulations or, as the case may be, regulation 44 of the 1990 Regulations, in respect of any review of the decision in relation to that appeal.

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(1) Schedule 4A is inserted by paragraph 36 of Schedule 5 to the Local Government and Housing Act 1989(c. 42).  
(2) 1967 c. 9. Such appeals were transferred, and the 1967 Act amended, by the Valuation and Community Charge Tribunals (Transfer of Jurisdiction) Regulations 1989 (S.I.1989/440).  
(3) S.I. 1967/637.