

Status: Point in time view as at 04/05/2012.

Changes to legislation: There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, SCHEDULE 16. (See end of Document for details)

SCHEDULES

SCHEDULE 16

Section 220

CONSEQUENTIAL AMENDMENTS RELATING TO THE CREATION OF THE VALUATION TRIBUNAL FOR ENGLAND

House of Commons Disqualification Act 1975 (c. 24)

- 1 In Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies of which all members are disqualified), insert at the appropriate place— “ The Valuation Tribunal for England. ”

Commencement Information

11 Sch. 16 para. 1 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(x)

Local Government Finance Act 1988 (c. 41)

- 2 The Local Government Finance Act 1988 is amended as follows.

Commencement Information

12 Sch. 16 para. 2 in force at 1.10.2009 by S.I. 2008/3110, art. 6(d)(i)

- 3 (1) Section 55 (alteration of lists) is amended in accordance with this paragraph.
(2) In subsection (5) omit “established under Schedule 11 below”.
(3) After subsection (7A) insert—
“(8) In this section “valuation tribunal” means—
(a) in relation to England: the Valuation Tribunal for England;
(b) in relation to Wales: a valuation tribunal established under paragraph 1 of Schedule 11.”

Commencement Information

13 Sch. 16 para. 3 in force at 1.10.2009 by S.I. 2008/3110, art. 6(d)(i)

- 4 (1) Schedule 4A (non-domestic rating: new buildings (completion days)) is amended in accordance with this paragraph.
(2) In paragraph 4 (appeals against completion notices), after sub-paragraph (2) insert—
“(3) In this paragraph “valuation tribunal” means—
(a) in relation to England: the Valuation Tribunal for England;

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- (b) in relation to Wales: a valuation tribunal established under paragraph 1 of Schedule 11.”

Commencement Information

I4 Sch. 16 para. 4 in force at 1.10.2009 by S.I. 2008/3110, art. 6(d)(i)

- 5 (1) Schedule 9 (non-domestic rating: administration) is amended in accordance with this paragraph.
- (2) In paragraph 5C (non-compliance with information notice: appeals against penalties), after sub-paragraph (6) insert—
- “(7) In this paragraph “valuation tribunal” means—
- (a) in relation to England: the Valuation Tribunal for England;
- (b) in relation to Wales: a valuation tribunal established under paragraph 1 of Schedule 11.”

Commencement Information

I5 Sch. 16 para. 5 in force at 1.10.2009 by S.I. 2008/3110, art. 6(d)(i)

Land Drainage Act 1991 (c. 59)

- 6 (1) Section 45 of the Land Drainage Act 1991 (appeals against determinations of annual value) is amended in accordance with this paragraph.
- (2) In subsection (7)(a) omit “, in accordance with regulations under Schedule 11 to the Local Government Finance Act 1988,”.
- (3) After subsection (7) insert—
- “(8) For the purposes of subsection (7)—
- (a) “valuation tribunal” means—
- (i) the Valuation Tribunal for England, or
- (ii) a valuation tribunal established under paragraph 1 of Schedule 11 to the Local Government Finance Act 1988;
- (b) England is to be treated as the area for which the Valuation Tribunal for England is established.”

Commencement Information

I6 Sch. 16 para. 6 in force at 1.10.2009 by S.I. 2008/3110, art. 6(d)(i)

Local Government Finance Act 1992 (c. 14)

- 7 (1) Section 69 of the Local Government Finance Act 1992 (interpretation etc of Part 1) is amended in accordance with this paragraph.
- (2) In subsection (1), for the definition of “valuation tribunal” substitute—
- ““valuation tribunal” means—

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- (a) in relation to England: the Valuation Tribunal for England;
- (b) in relation to Wales: a valuation tribunal established under paragraph 1 of Schedule 11 to the 1988 Act.”

Commencement Information

I7 Sch. 16 para. 7 in force at 1.10.2009 by S.I. 2008/3110, art. 6(d)(i)

Tribunals and Inquiries Act 1992 (c. 53)

- 8
- (1) Schedule 1 to the Tribunals and Inquiries Act 1992 (tribunals under direct supervision of Council on Tribunals) is amended in accordance with this paragraph.
 - (2) In entry 28, for “Valuation tribunals established” substitute “ The Valuation Tribunal for England and the valuation tribunals established in relation to Wales ”.

Commencement Information

I8 Sch. 16 para. 8 in force at 1.10.2009 by S.I. 2008/3110, art. 6(d)(i)

Finance Act 2003 (c. 14)

- 9
- (1) Section 78A of the Finance Act 2003 (disclosure of information contained in land transaction returns) is amended in accordance with this paragraph.
 - (2) In subsection (1)(b), omit “established under Schedule 11 to the Local Government Finance Act 1988”.
 - (3) After subsection (3) insert—
 - “(4) In this section “valuation tribunal” means—
 - (a) in relation to England: the Valuation Tribunal for England;
 - (b) in relation to Wales: a valuation tribunal established under paragraph 1 of Schedule 11 to the Local Government Finance Act 1988.”

Commencement Information

I9 Sch. 16 para. 9 in force at 1.10.2009 by S.I. 2008/3110, art. 6(d)(i)

Local Government Act 2003 (c. 26)

- 10 The Local Government Act 2003 is amended as follows.

Commencement Information

I10 Sch. 16 para. 10 in force at 1.4.2008 for specified purposes by S.I. 2008/917, art. 2(1)(y)

I11 Sch. 16 para. 10 in force at 1.10.2009 in so far as not already in force by S.I. 2008/3110, art. 6(d)(ii)

- 11 (1) Section 105 (the Valuation Tribunal Service) is amended in accordance with this paragraph.

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- (2) In subsection (2)—
- (a) for “valuation tribunals in England” substitute “ the Valuation Tribunal for England (referred to in this section and Schedule 4 as “the Tribunal”) ”;
 - (b) in paragraph (a) for “tribunals” substitute “ the Tribunal ”;
 - (c) in paragraph (a)(ii) for “clerks to tribunals” substitute “ the clerk of the Tribunal ”;
 - (d) in paragraph (a)(v) for “(including clerks to) tribunals” substitute “ the Tribunal (including the clerk of the Tribunal) ”;
 - (e) after paragraph (a) insert—
 - “(aa) making payments in accordance with paragraph A14 of Schedule 11 to the Local Government Finance Act 1988;”;
 - (f) in paragraph (b) for “tribunals” substitute “ the Tribunal ”.
- (3) In subsection (5)—
- (a) for “valuation tribunals” substitute “ the Tribunal ”;
 - (b) for “their” substitute “ its ”.
- (4) In subsection (6)—
- (a) for “valuation tribunals” substitute “ the Tribunal ”;
 - (b) for “the Tribunals concerned” substitute “ the President of the Tribunal ”.

Commencement Information

- I12** Sch. 16 para. 11(1) in force at 1.4.2008 for specified purposes by [S.I. 2008/917](#), **art. 2(1)(z)**
I13 Sch. 16 para. 11(1) in force at 1.10.2009 in so far as not already in force by [S.I. 2008/3110](#), **art. 6(d)(ii)**
I14 Sch. 16 para. 11(2)(a)-(d)(f)(3)(4) in force at 1.10.2009 by [S.I. 2008/3110](#), **art. 6(d)(ii)**
I15 Sch. 16 para. 11(2)(e) in force at 1.4.2008 by [S.I. 2008/917](#), **art. 2(1)(aa)**

- 12 In section 124 (general interpretation), omit the definition of “valuation tribunal”.

Commencement Information

- I16** Sch. 16 para. 12 in force at 1.10.2009 by [S.I. 2008/3110](#), **art. 6(d)(iii)**

- 13 (1) Schedule 4 (the Valuation Tribunal Service) is amended in accordance with this paragraph.
- (2) In paragraph 1 (membership)—
- (a) after sub-paragraph (1) insert—
 - “(1A) The Secretary of State must appoint the person who is for the time being President of the Tribunal as one of the members of the Service (unless that person is already a member of the Service).”;
 - (b) for sub-paragraph (3)(a) substitute—
 - “(a) a majority are senior members of the Tribunal, and”.
- (3) In paragraph 3 (tenure of office)—
- (a) after sub-paragraph (1) insert—

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- “(1A) The person who is for the time being President of the Tribunal shall hold office as a member of the Service for as long as he remains President of the Tribunal.”;
- (b) in sub-paragraph (2) after “A person” insert “ other than the President of the Tribunal ”.
- (4) In paragraph 4 (cessation of membership), for sub-paragraph (1)(b) substitute—
- “(b) he ceases to be President of the Tribunal (whether or not he was appointed to the Service by virtue of being President),
- (ba) having been a Vice-President of the Tribunal, or a member of the panel of chairmen of the Tribunal, at the time of his appointment, he ceases to hold that office without being appointed to another of the senior offices of the Tribunal, or”.
- (5) For paragraph 9 substitute—
- “9 The Service shall not appoint an employee to be the clerk of the Tribunal without the consent of the President of the Tribunal.”
- (6) In paragraph 27 (interpretation), after the definition of “financial year” insert—
- ““senior member of the Tribunal” means a person holding one of the senior offices of the Tribunal;
- “senior offices of the Tribunal” means any of these offices—
- (a) President of the Tribunal;
- (b) Vice-President of the Tribunal;
- (c) member of the panel of chairmen of the Tribunal.”

Commencement Information

- I17** Sch. 16 para. 13(1) in force at 1.4.2008 for specified purposes by [S.I. 2008/917](#), [art. 2\(1\)\(bb\)](#)
- I18** Sch. 16 para. 13(1) in force at 1.10.2009 in so far as not already in force by [S.I. 2008/3110](#), [art. 6\(d\)\(iv\)](#)
- I19** Sch. 16 para. 13(2)(a)(3) in force at 1.4.2008 by [S.I. 2008/917](#), [art. 2\(1\)\(cc\)](#)
- I20** Sch. 16 para. 13(2)(b)(4)-(6) in force at 1.10.2009 by [S.I. 2008/3110](#), [art. 6\(d\)\(iv\)](#)

Constitutional Reform Act 2005 (c. 4)

- 14 The Constitutional Reform Act 2005 is amended as follows.

Commencement Information

- I21** Sch. 16 para. 14 in force at 1.4.2008 for specified purposes by [S.I. 2008/917](#), [art. 2\(1\)\(dd\)](#)
- I22** Sch. 16 para. 14 in force at 1.10.2009 in so far as not already in force by [S.I. 2008/3110](#), [art. 6\(d\)\(iv\)](#)

- 15 (1) Schedule 7 (protected functions of the Lord Chancellor) is amended in accordance with this paragraph.
- (2) In Part A of that Schedule (general), insert at the appropriate place—

“Local Government Finance Act 1988

Schedule 11, paragraph A7”

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- I23** Sch. 16 para. 15 in force at 1.4.2008 for specified purposes by S.I. 2008/917, art. 2(1)(dd)
I24 Sch. 16 para. 15 in force at 1.10.2009 in so far as not already in force by S.I. 2008/3110, art. 6(d)(iv)

16 (1) Schedule 14 (Judicial Appointments Commission: relevant offices and enactments) is amended in accordance with this paragraph.

(2) In Part 3 of the Schedule, insert at the appropriate place—

“President of the Valuation Tribunal for England	Paragraph A7 of Schedule 11 to the Local Government Finance Act 1988
Vice-President of the Valuation Tribunal for England	Paragraph A7 of Schedule 11 to the Local Government Finance Act 1988
Member of the panel of chairmen of the Valuation Tribunal for England	Paragraph A7 of Schedule 11 to the Local Government Finance Act 1988
Other member of the Valuation Tribunal for England	Paragraph A7 of Schedule 11 to the Local Government Finance Act 1988”

Commencement Information

- I25** Sch. 16 para. 16 in force at 1.4.2008 for specified purposes by S.I. 2008/917, art. 2(1)(dd)
I26 Sch. 16 para. 16 in force at 1.10.2009 in so far as not already in force by S.I. 2008/3110, art. 6(d)(iv)

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