
SCOTTISH STATUTORY INSTRUMENTS

2003 No. 211

The Lerwick Harbour Revision (Constitution) Order 2003

PART II

CONSTITUTION

Business ratepayers

- (i) The Authority shall cause a list of business ratepayers to be made up.
- (ii) A business ratepayer (hereinafter referred to as a ratepayer) is a person:—
 - (a) whose name appears on the Valuation Roll for the Shetland Islands as prepared by the Orkney & Shetland Valuation Joint Board as at 1st April in the year prior to that in which there is an election to the Authority of ratepayer Members (or in the event of the unavailability of such Roll, the most recent available Roll) as being the occupying owner or tenant responsible for paying business rates on a property or properties in Lerwick with an aggregate annual rateable value of at least £2,000, and
 - (b) who is not a statutory undertaking or an organisation having Charitable status or a club or unincorporated association or any other body, however constituted, whose main source of income or funding derives other than directly from trading or commerce.

(2) Where a ratepayer is an incorporated company or a firm, such company or firm may by the last Friday of February 2003 and on each anniversary thereafter as shall occur in a year in which there is an election of ratepayer Members to the Authority, intimate in writing to the Authority the name of one of their members or partners or one of their employees whom they desire to be an elector and such member or partner or employee so named shall qualify to be an elector and, subject to the provisions of articles 4 and 5, Member. In the event of any incorporated company or firm appearing in said Valuation Roll as the occupying owner or tenant of a property or properties with an aggregate annual rateable value of £5,000 or more then the company or firm may intimate the names of two members or partners or two of their employees to qualify as electors and, subject to the provisions of articles 4 and 5, Members.

(3) At each revaluation of the rateable value of the business properties the sums of £2,000 and £5,000 mentioned in this article may at the option of the Board be re-assessed, retained, increased or decreased in accordance with any changes in the Retail Price Index, as published by the Office of National Statistics, which have occurred in said Index from the position in which it stood as at the date of the immediately preceding revaluation and in such event the Authority shall arrange for the resultant figures to be published in a newspaper circulating in the Shetland Islands.

(4) A ratepayer, other than an incorporated company or firm, is qualified to be an elector and, subject to the provisions of articles 4 and 5, Member.

(5) The Authority, its officials and employees shall not qualify as ratepayers.

(6) The following persons shall not qualify as ratepayers:—

- (a) The Council;
- (b) Any company or body wholly owned or controlled by the Council.