

2007 No. 81

RATING AND VALUATION

The Valuation Timetable (Scotland) Amendment Order 2007

Made - - - - *15th February 2007*

Coming into force - - *1st April 2007*

The Scottish Ministers, in exercise of the powers conferred by sections 13(1) and 42(1) of the Valuation and Rating (Scotland) Act 1956(a) and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Valuation Timetable (Scotland) Amendment Order 2007 and shall come into force on 1st April 2007.

Amendment of principal Order

2.—(1) The Valuation Timetable (Scotland) Order 1995(b) is amended in accordance with paragraph (2).

(2) In the Schedule, at the end of the last entry in column 2 (last date for disposal of appeals and complaints) insert—

- “(iv) if the Lands Tribunal for Scotland decline to proceed to determine any appeal or complaint referred to it by a valuation appeal committee, the date falling 6 months after the date on which the appeal or complaint is remitted to that valuation appeal committee;
- (v) the date falling 6 months after the date on which the Lands Tribunal for Scotland decide to refuse an appeal made under section 1(3BA) of the Lands Tribunal Act 1949(c) against a decision of the valuation appeal committee not to refer the appeal or complaint to the Tribunal.”

TOM McCABE

A member of the Scottish Executive

St Andrew's House,
Edinburgh
15th February 2007

(a) 1956 c.60. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46). Section 13(1) was extended by the Local Government (Financial Provisions) (Scotland) Act 1963 (c.12), section 22(d) and amended by the Local Government (Scotland) Act 1975 (c.30), Schedule 6, paragraph 20(a).

(b) S.I. 1995/164, as amended by S.I. 1995/2455, S.I. 1997/1781 and S.S.I. 2000/76.

(c) 1949 c.42. Section 1(3BA) was inserted by paragraph 1 of Schedule 6 to the Local Government and Housing Act 1989 (c.42).

EXPLANATORY NOTE

(This note is not part of the Order)

The Valuation Timetable (Scotland) Order 1995 prescribes dates on which, and periods within which, various things require to be done in relation to the lodging and determination of appeals and complaints with the valuation appeal committee. This Order amends that Order as regards the last date for the disposal by a valuation appeal committee of appeals and complaints lodged with it.

A valuation appeal committee may refer an appeal or complaint to the Lands Tribunal for Scotland (“the Tribunal”) for determination. The Tribunal may decline to proceed to determine an appeal or complaint. In these circumstances the appeal or complaint is returned to the valuation appeal committee. This Order provides that the valuation appeal committee will have six months to determine a returned appeal or complaint.

An applicant may also appeal to the Tribunal against a decision of a valuation appeal committee not to refer an appeal or complaint to the Tribunal. If the Tribunal refuse such an appeal the matter is determined by the valuation appeal committee. This Order provides that the valuation appeal committee will have six months from the date of the Tribunal’s decision in which to determine the appeal or complaint.

£3.00

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