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SCHEDULES

SCHEDULE 4

Section 27.

1956 GROSS VALUE

- 1 (1) Subject to this Schedule, the 1956 gross value of any dwelling, for the purposes of Part II of this Act, is the gross value thereof as shown in the valuation list on 7th November 1956 or, where the dwelling forms part only of a hereditament shown in that list, such proportion of the gross value shown in that list for that hereditament as may be or have been agreed in writing between the landlord and the tenant or be determined by the county court.
- (2) Any apportionment of gross value determined by the county court for the purposes of Part II of this Act shall be final.
- 2 Where a dwelling is or forms part of a hereditament for which no gross value was shown in the valuation list on 7th November 1956, paragraph 1 above shall have effect in relation to the dwelling as if, for the references to that date, there were substituted references to the first subsequent date on which a gross value for that hereditament was shown in the valuation list.
- 3 If, in pursuance of a proposal made before 1st April 1957, or made on the ground of a change in the occupier or in the circumstances of occupation, the gross value shown for a hereditament in the valuation list was varied after 7th November 1956, then, as regards any rental periods (whether beginning before or after the variation) the 1956 gross value of a dwelling which is or forms part of that hereditament shall be ascertained by reference to the gross value as so varied.
- 4 (1) Where a dwelling is or forms part of a hereditament the gross value of which, as shown in the valuation list, was arrived at after such a reduction as was provided for in section 4(3) of the Valuation for Rating Act 1953 (which related to certain hereditaments consisting partly of premises used wholly for the purposes of a private dwelling and partly of other premises) that gross value shall be deemed, for the purposes of Part II of this Act, to be further reduced by four-sevenths of so much thereof as is attributable to that part of the hereditament which was not used wholly for the purposes of a private dwelling or private dwellings ; and a certificate of the valuation officer shall be conclusive evidence of the amount so attributable.
- (2) In sub-paragraph (1) above " the valuation officer", in relation to a valuation list, means any officer of the Commissioners of Inland Revenue who was for the time being appointed by the Commissioners to be the valuation officer or one of the valuation officers, or to be the deputy valuation officer or one of the deputy valuation officers, in relation to that list.
- 5 (1) Subject to sub-paragraph (2) below, where a dwelling consists of or forms part of more than one hereditament, the 1956 gross value of the dwelling shall be ascertained by determining the 1956 gross value of each hereditament or part as if it were a separate dwelling and aggregating the gross values so determined.

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- (2) In determining, for the purposes of this paragraph, the 1956 gross value of any hereditament, that gross value shall be taken to be reduced by four-sevenths if it was ascertained in accordance with the definition of gross value in section 68 of the Rating and Valuation Act 1925.
- 6 Where a tenant or any previous tenant under a controlled tenancy which began before 6th July 1957 made or contributed to the cost of an improvement on the premises comprised in the tenancy and the improvement was made before 7th November 1956 by the execution of works amounting to structural alteration, extension or addition, the 1956 gross value of the premises shall be reduced by such amount, if any, as may have been agreed or determined in accordance with Part III of Schedule 5 to the Rent Act 1957 (which, in certain cases, provided for a reduction in the 1956 gross value on account of certain improvements if the tenant served the necessary notice on the landlord not later than 6 weeks after the commencement of that Act).
- 7 If, at the time of the making of such an agreement as is referred to in paragraph 1 above, the landlord was himself a tenant, then, unless he was tenant under a tenancy having a term with more than 7 years to run at that time, the agreement shall not have effect for the purposes of Part II of this Act, except with the concurrence in writing of his immediate landlord.
- 8 In this Schedule the expression " valuation list" does not include any new valuation list which came into force at any time after July 1957.