

Status: Point in time view as at 06/03/1992.

Changes to legislation: Local Government Finance Act 1988, Cross Heading: Information is up to date with all changes known to be in force on or before 04 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 9

NON-DOMESTIC RATING: ADMINISTRATION

Information

- 5 (1) A valuation officer may serve a notice on a person who is an owner or occupier of a hereditament [^{F1}requesting him to supply to the officer information—
- (a) which is specified in the notice, and
 - (b) which the officer reasonably believes will assist him in carrying out functions conferred or imposed on him by or under this Part.]
- [^{F2}(1A) A notice under this paragraph must state that the officer believes the information requested will assist him in carrying out functions conferred or imposed on him by or under this Part.]
- (2) A person on whom a notice is served under this paragraph shall supply the information [^{F3}requested] if it is in his possession or control, and he shall do so in such form and manner as is [^{F4}specified] in the notice and within the period of 21 days beginning with the day on which the notice is served.
- (3) If a person on whom a notice is served under this paragraph fails without reasonable excuse to comply with sub-paragraph (2) above, he shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (4) If a notice has been served on a person under this paragraph, and in supplying information in purported compliance with sub-paragraph (2) above he makes a statement which he knows to be false in a material particular or recklessly makes a statement which is false in a material particular, he shall be liable on summary conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding level 3 on the standard scale or to both.

Textual Amendments

- F1** Words and para. 5(1)(a)(b) of Sch. 9 substituted by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), s. 139, [Sch. 5 para. 46\(2\)](#)
- F2** [Sch. 9 para. 5\(1A\)](#) inserted by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), s. 139, [Sch. 5 para. 46\(2\)](#)
- F3** Word substituted by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), s. 139, [Sch. 5 para. 46\(4\)\(a\)](#)
- F4** Word substituted by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), s. 139, [Sch. 5 para. 46\(4\)\(b\)](#)

- 6 (1) If in the course of the exercise of its functions any information comes to the notice of a [^{F5}billing authority] which leads it to suppose that a list requires alteration it shall

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be the authority's duty to inform the valuation officer who has the duty to maintain the list.

[^{F6}(1A) The Secretary of State may make regulations containing provision that, at such times and in such manner as may be prescribed, a [^{F5}billing authority] shall supply to the valuation officer for the authority information of such description as may be prescribed.]

(2) . . . ^{F7}

Textual Amendments

- F5** Words in Sch. 9 para. 6(1)(1A) substituted (6.3.1992) by 1992 c. 14, s. 117(1), **Sch. 13 para. 87(4)** (with s. 118(1)(2)(4))
- F6** Sch. 9 para. 6(1A) inserted by Local Government and Housing Act 1989 (c. 42, SIF 81:1), s. 139, **Sch. 5 para. 47(3)**
- F7** Sch. 9 para. 6(2) repealed by Local Government and Housing Act 1989 (c. 42, SIF 81:1), ss. 139, 194(4), Sch. 5 para. 47(2), **Sch. 12 Pt. II** Note 4

- [^{F8}6A (1) Where regulations under this Schedule impose a duty on a billing authority to supply information to any person, they may also require—
- (a) the Secretary of State;
 - (b) any appropriate precepting authority; or
 - (c) any appropriate levying body,
- to supply the billing authority with prescribed information if the Secretary of State considers it to be information the billing authority needs in order to fulfil its duty.
- (2) Where regulations under this Schedule contain provision about the contents or form of a notice to be served by a billing authority, they may also require the Secretary of State or any appropriate precepting authority to supply the billing authority with prescribed information if the Secretary of State considers it to be information the billing authority needs to ensure that the provision is met.
- (3) Where any person other than the Secretary of State fails to supply information to a billing authority in accordance with regulations made by virtue of sub-paragraph (1) or (2) above, he shall be liable to indemnify the authority against any loss or damage which the authority sustains in consequence of the failure.
- (4) For the purposes of sub-paragraph (1) or (2) above an authority is an appropriate precepting authority in relation to a billing authority if it has power to issue a precept to the billing authority under Part I of the Local Government Finance Act 1992.
- (5) For the purposes of sub-paragraph (1) above a body is an appropriate levying body in relation to a billing authority if—
- (a) it has power to issue a levy or special levy to the billing authority; or
 - (b) it has power to issue a levy to a county council which has power to issue a precept to the billing authority under Part I of the Local Government Finance Act 1992.]

Textual Amendments

- F8** Sch. 9 para. 6A inserted (6.3.1992) by 1992 c. 14, s. 117(1), **Sch. 13 para. 87(5)** (with s. 118(1)(2)(4))

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