



# Local Government Finance Act 1992

## 1992 CHAPTER 14

### PART I

#### COUNCIL TAX: ENGLAND AND WALES

### CHAPTER II

#### VALUATION LISTS

##### *Supplemental*

#### **26 Powers of entry.**

- (1) If a valuation officer needs to value a dwelling for the purpose of carrying out any of his functions, he and any servant of the Crown authorised by him in writing may enter on, survey and value the dwelling if subsections (2) and (3) below are fulfilled.
- (2) At least three clear days' notice in writing of the proposed exercise of the power must be given; and there shall be disregarded for this purpose any day which is—
  - (a) a Saturday, a Sunday, Christmas Day or Good Friday; or
  - (b) a day which is a bank holiday under the <sup>M1</sup>Banking and Financial Dealings Act 1971 in England and Wales.
- (3) In a case where a person authorised by a valuation officer proposes to exercise the power, that person must if required produce his authority.
- (4) If a person intentionally delays or obstructs a person in the exercise of a power under this section, he shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (5) In this section and section 27 below “valuation officer” means any listing officer and any other officer of the Commissioners of Inland Revenue who is for the time being appointed by them to carry out any of their functions.

*Status: Point in time view as at 18/11/2003.*

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### Marginal Citations

M1 1971 c. 80.

## 27 Information about properties.

- (1) In any case where—
  - (a) a notice is served by a listing officer or the Commissioners of Inland Revenue on a charging or billing authority, a community charges registration officer or any other person prescribed for the purposes of this subsection;
  - (b) the notice requests the supply of information of a description specified in the notice; and
  - (c) the information relates to property and is information which the listing officer or the Commissioners reasonably believe will assist him or them in carrying out any of his or their functions,

the authority, officer or other person shall supply the information requested, and shall do so in such form and manner and at such time as the listing officer or the Commissioners specify in the notice.
- (2) For the purpose of carrying out any of his functions, a valuation officer may serve on a person who is or has been an owner or occupier of any dwelling a notice—
  - (a) requesting him to supply to the officer information which is of a description specified in the notice; and
  - (b) stating that the officer believes the information requested will assist him in carrying out his functions.
- (3) A person on whom a notice is served under subsection (2) above shall supply the information requested if it is in his possession or control, and shall do so in such form and manner as is specified in the notice and within the period of 21 days beginning with the day on which the notice is served.
- (4) If a person on whom a notice has been served under subsection (2) above fails without reasonable excuse to comply with subsection (3) above, he shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (5) If, in supplying information in purported compliance with subsection (3) above, a person on whom a notice has been served under subsection (2) above—
  - (a) makes a statement which he knows to be false in a material particular; or
  - (b) 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 three months or a fine not exceeding level 3 on the standard scale or both.
- (6) If in the course of the exercise of its functions any information comes to the notice of a charging or billing authority which it considers would assist a listing officer in carrying out any of his functions, it shall be the authority's duty to inform the listing officer.
- (7) In carrying out any of his or their functions, a listing officer or the Commissioners of Inland Revenue may also take into account any other information available to him or them, whatever its source and whether or not obtained under a provision contained in or made under this or any other Act.
- (8) In this section—

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“charging authority” shall be construed in accordance with section 144(1) of the 1988 Act;

“community charges registration officer” shall be construed in accordance with section 26 of that Act.

## 28 Information about lists.

- (1) A person may require a listing officer to give him access to such information as will enable him to establish what is the state of a list, or has been its state at any time since it came into force, if—
  - (a) the officer is maintaining the list; and
  - (b) the list is in force or has been in force at any time in the preceding five years.
- (2) A person may require a billing authority to give him access to such information as will enable him to establish what is the state of a copy of a list, or has been its state at any time since it was deposited, if—
  - (a) the authority has deposited the copy under section 22(8) [<sup>F1</sup>, 22A(10) or 22B(10)] above; and
  - (b) the list is in force or has been in force at any time in the preceding five years.
- (3) A person may require a billing authority to give him access to such information as will enable him to establish what is the state of a copy of a proposed list if—
  - (a) the authority has deposited the copy under section 22(6) [<sup>F2</sup> or 22B(8)] above; and
  - (b) the list itself is not yet in force.
- (4) A requirement under subsection (1), (2) or (3) above must be complied with at a reasonable time and place and without payment being sought; but the information may be in documentary or other form, as the person or authority of whom the requirement is made thinks fit.
- (5) Where access is given under this section to information in documentary form the person to whom access is given may—
  - (a) make copies of (or of extracts from) the document;
  - (b) require a person having custody of the document to supply to him a photographic copy of (or of extracts from) the document.
- (6) Where access is given under this section to information in a form which is not documentary the person to whom access is given may—
  - (a) make transcripts of (or of extracts from) the information;
  - (b) require a person having control of access to the information to supply to him a copy in documentary form of (or of extracts from) the information.
- (7) If a reasonable charge is required for a facility under subsection (5) or (6) above, the subsection concerned shall not apply unless the person seeking to avail himself of the facility pays the charge.
- (8) If without reasonable excuse a person having custody of a document containing, or having control of access to, information access to which is sought under this section—
  - (a) intentionally obstructs a person in exercising a right under subsection (1), (2), (3), (5)(a) or (6)(a) above; or
  - (b) refuses to comply with a requirement under subsection (5)(b) or (6)(b) above,

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he shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

#### Textual Amendments

- F1** Words in s. 28(2)(a) substituted (18.11.2003) by [Local Government Act 2003 \(c. 26\)](#), s. 127(1), [Sch. 7 para. 48\(a\)](#)
- F2** Words in s. 28(3)(a) inserted (18.11.2003) by [Local Government Act 2003 \(c. 26\)](#), s. 127(1), [Sch. 7 para. 48\(b\)](#)

#### Modifications etc. (not altering text)

- C1** [S. 28\(2\)](#) applied (28.11.1994) by [S.I. 1994/2825](#), [reg. 48](#)

## 29 Information about proposals and appeals.

- (1) A person may, at a reasonable time and without making payment, inspect any proposal made or notice of appeal given under regulations made under section 24 above, if made or given as regards a list which is in force when inspection is sought or has been in force at any time in the preceding five years.
- (2) A person may—
  - (a) make copies of (or of extracts from) a document mentioned in subsection (1) above; or
  - (b) require a person having custody of such a document to supply to him a photographic copy of (or of extracts from) the document.
- (3) If a reasonable charge is required for a facility under subsection (2) above, that subsection shall not apply unless the person seeking to avail himself of the facility pays the charge.
- (4) If without reasonable excuse a person having custody of a document mentioned in subsection (1) above—
  - (a) intentionally obstructs a person in exercising a right under subsection (1) or (2)(a) above; or
  - (b) refuses to supply a copy to a person entitled to it under subsection (2)(b) above,

he shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

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