



# Valuation and Rating (Scotland) Act 1956

1956 CHAPTER 60 4 and 5 Eliz 2

## PART I

### VALUATION

#### 1 †Valuation areas and authorities and appointment of assessors and staff.

- (1) . . . . .<sup>F1</sup>
- (5) The Secretary of State shall make regulations prescribing the qualifications required to be possessed by any person appointed to the office of assessor, or by any person appointed under [<sup>F2</sup>section 116 (2) of the <sup>M1</sup>Local Government (Scotland) Act 1973] to act as depute assessor, and, except as otherwise provided in such regulations,—
- (a) a person shall not be appointed . . .<sup>F3</sup> to the office of assessor; and
  - (b) a person shall not be appointed to act as depute assessor, nor, on or after the sixteenth day of May, nineteen hundred and fifty–seven, shall any person act as depute assessor;
- unless he possesses the qualifications so prescribed.
- (6) . . . . .<sup>F4</sup>
- (7) An assessor . . .<sup>F5</sup> shall hold his office during the pleasure of the valuation authority so, however, that he shall not be removed from office or required to resign as an alternative thereto except—
- (a) by a resolution of such authority passed by not less than two–thirds of the members present at a meeting of the authority the notice of which specifies as an item of business the consideration of the removal from office of the assessor or his being required to resign, and
  - (b) with the consent of the Secretary of State.

Before deciding whether or not to give such consent the Secretary of State shall give the authority and the assessor an opportunity of being heard by a person appointed by the Secretary of State.

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*Changes to legislation: There are currently no known outstanding effects for the Valuation and Rating (Scotland) Act 1956. (See end of Document for details)*

- (8) The power to make regulations conferred on the Secretary of State by this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

**Textual Amendments**

- F1 S. 1 (1)–(4) repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), s. 122, [Sch. 9 para. 44](#) (a), Sch. 29
- F2 Words substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), s. 122, [Sch. 9 para. 44](#) (b)
- F3 Words repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), s. 122, [Sch. 9 para. 44](#) (b), Sch. 29
- F4 S. 1 (6) repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), s. 122, [Sch. 9 para. 44](#) (c), Sch. 29
- F5 Words repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), s. 122, [Sch. 9 para. 44](#) (d), Sch. 29

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

- C1 A dagger appended to a marginal note means that it is no longer accurate

**Marginal Citations**

- M1 1973 c 65.

2 ..... F6

**Textual Amendments**

- F6 Ss. 2, 3 (4) (c) repealed by [Local Government and Miscellaneous Financial Provisions \(Scotland\) Act 1958 \(c. 64\)](#), s. 22, [Sch. 6 Pt. III](#)

**3 Scottish Valuation Advisory Council.**

- (1) The Secretary of State shall constitute a Scottish Valuation Advisory Council (hereinafter referred to as “the Advisory Council”) consisting of fifteen members appointed by the Secretary of State, of whom not less than [F7six]and not more than ten shall be appointed from a panel of persons (other than assessors) nominated by such associations as appear to the Secretary of State to represent valuation authorities, and the remainder shall include persons experienced in law or in valuation appointed after consultation with such persons as the Secretary of State may think fit.
- (2) The Secretary of State shall appoint a chairman and a deputy chairman from among the members of the Advisory Council.
- (3) A member of the Advisory Council shall hold office for such period as may be determined by the terms of his appointment, and shall be eligible for re–appointment.
- (4) The functions of the Advisory Council shall include—
  - (a) advising the Secretary of State on any matter relating to valuation which he may refer to them;
  - (b) receiving from the assessors annual reports to be made by them on the progress of valuation or revaluation in their respective areas, and reviewing such progress;

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- (c) ..... F8
  - (d) considering arrangements to be made by the assessors to secure in accordance with the provisions hereinafter contained the valuation or revaluation once in every five years of all lands and heritages in their respective areas and informing the Secretary of State of any modifications in such arrangements which the Advisory Council think advisable;
  - (e) making representations and recommendations to the Secretary of State on any matter relating to valuation.
- (5) The Secretary of State shall appoint such officers of the Advisory Council as may be necessary for the purpose of the exercise by that Council of their functions under this Act.
- (6) The Secretary of State may pay—
- (a) to the members of the Advisory Council such allowances in respect of loss of earnings or travelling or subsistence or other expenses necessarily suffered or incurred in the performance of their duties;
  - (b) to the officers of the Advisory Council such remuneration (whether by way of salary or fees) and such allowances in respect of travelling or subsistence; and
  - (c) such other expenditure incurred by the Advisory Council or the members or officers thereof for the purpose of their respective functions under this Act,
- as he may, with the approval of the Treasury, determine.
- (7) The Advisory Council shall submit to the Secretary of State an annual report of their proceedings, which report shall include a statement of expenditure incurred in the performance of their functions, and the Secretary of State shall cause such report to be published.

**Textual Amendments**

- F7** Word substituted by [Local Government \(Miscellaneous Provisions\) \(Scotland\) Act 1981 \(c. 23, SIF 81:2\)](#), **ss. 11**, 43 (2)
- F8** [Ss. 2, 3 \(4\) \(c\)](#) repealed by [Local Government and Miscellaneous Financial Provisions \(Scotland\) Act 1958 \(c. 64\)](#), s. 22, **Sch. 6 Pt. III**

4 ..... F9

**Textual Amendments**

- F9** [S. 4](#) repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 29**

5 ..... F10

**Textual Amendments**

- F10** [S. 5](#) repealed by [Local Government \(Scotland\) Act 1975 \(c. 30\)](#), **s. 39 (2)**, Sch. 7

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**6 Ascertainment of gross annual value, net annual value and rateable value of lands and heritages.**

(1) For the purpose of making up any valuation roll for the year 1961–62 or any subsequent year . . . <sup>F11</sup>, the net annual value and the rateable value of any lands and heritages shall, subject to [<sup>F12</sup>sections 7 to 7B]of this Act , be ascertained in accordance with the provisions of this section.

(2) . . . . . <sup>F13</sup>

(8) Subject to the provisions of Part III of this Act, the net annual value of any lands and heritages, . . . <sup>F14</sup>shall be the rent at which the lands and heritages might reasonably be expected to let from year to year if no grassum or consideration other than the rent were payable in respect of the lease and if the tenant undertook to pay all rates and to bear the cost of the repairs and insurance and the other expenses, if any, necessary to maintain the lands and heritages in a state to command that rent.

[<sup>F15</sup>(8A) The Secretary of State may by regulations made under this subsection prescribe—

- (a) the manner in which and the principles, rules and considerations by reference to which the net annual value of lands and heritages is to be arrived at under subsection (8) above;
- (b) that the principles, rules and considerations referred to in paragraph (a) above or any of them shall be such as are determined in accordance with the regulations.

(8B) Regulations made under subsection (8A) above—

- (a) may be made so as to apply differently to different areas or in relation to different cases or classes of case;
- (b) may include such supplementary, incidental, consequential or transitional provisions as appear to the Secretary of State to be necessary or expedient; and
- (c) shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.”]

[<sup>F16</sup>(8C) For the purposes of subsection (8B) above, cases may be defined, described or classified by reference to such factors as the Secretary of State thinks fit.

(8D) Without prejudice to the generality of subsection (8C) above, a case may be defined, described or classified by reference to one or more of the following factors—

- (a) the physical characteristics of lands and heritages;
- (b) the fact that lands and heritages are unoccupied or are occupied for purposes prescribed by the regulations or by persons of descriptions so prescribed.]

(9) The rateable value of any lands and heritages shall, . . . <sup>F17</sup>, be the net annual value thereof as ascertained . . . <sup>F18</sup> or subsection (8) of this section, . . . <sup>F18</sup>.

(10) Where the amount of the net annual value and of the rateable value in a case where those values are the same, or in any other case the amount of the rateable value, includes a fraction of a pound, the amount of both those values or of the rateable value, as the case may be, shall be increased or reduced, as the case may be, to the nearest complete pound, or if the fraction is ten shillings, the fraction shall be disregarded.

(11) . . . . . <sup>F19</sup>

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### Subordinate Legislation Made

**P1** S. 6: power exercised by S.I. 1990/505

### Textual Amendments

- F11** Words repealed by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 103:2\)](#), s. 34, [Sch. 6](#)
- F12** Words substituted by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1, 2\)](#), s. 145, [Sch. 6 para. 3](#)
- F13** S. 6 (2)–(7) repealed by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 103:2\)](#), s. 34, [Sch. 6](#)
- F14** Words repealed by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 103:2\)](#), s. 34, [Sch. 6](#)
- F15** S. 6 (8A) (8B) inserted by [Local Government Finance Act 1988 \(c. 41, SIF 81:1\)](#), s. 137, [Sch. 12 Pt. II para. 4](#)
- F16** S. 6 (8C) (8D) inserted by [Local Government and Housing Act 1989 \(c. 42, SIF 81:2\)](#), s. 145, [Sch. 6 para. 5](#)
- F17** Words repealed by [Local Government \(Financial Provisions\) \(Scotland\) Act 1963 \(c. 12\)](#), s. 10(1), [Sch. 3 Pt. II](#)
- F18** Words repealed by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 103:2\)](#), s. 34, [Sch. 6](#)
- F19** S. 6 (11) repealed by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 103:2\)](#), s. 34, [Sch. 6](#)

### Modifications etc. (not altering text)

- C2** S. 6 applied by [Local Government \(Scotland\) Act 1966 \(c. 51\)](#), s. 7 (4)
- C3** S. 6 applied by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 103:2\)](#), [ss. 5 \(10\)](#), 26 (1)
- C4** S. 6 continued (1.4.1993) by [Local Government Finance Act 1992 \(c. 14\)](#), s. [111\(12\)](#), (with s. 118(1)(2) (4)); S.I. 1993/575, [art. 2\(b\)](#)
- C5** S. 6(1) modified by S.I. 1990/817, [arts. 9, 10](#), (which S.I. was repealed (1.4.2000) by S.I. 2000/285, [art. 11\(a\)](#))
- C6** S. 6 (1) Modified (1990–1991) by S.I. 1990/818, [arts. 7, 8](#); 1990/819, arts. 7, 8; 1990/820, arts. 5, 6; 1990/821, arts. 7, 8; 1990/822, arts. 6, 7; 1990/823, arts. 5, 6; 1990/836, arts. 7, 8; 1990/837, arts. 7, 8; 1990/838, arts. 6, 7; 1990/854, arts. 7, 8; 1990/855, arts. 7, 8; 1990/856, arts. 6, 7; 1990/857, arts. 7, 8
- C7** S. 6(1) modified (1990-1991, retrospective to 1. 4. 1990) by S.I. 1991/646, [arts. 8, 9](#); 1991/647, arts. 7, 8; 1991/648, arts. 7, 8; 1991/649, arts. 7, 8.
- C8** S. 6(1) modified by S.I. 1991/915, [arts. 7, 8](#)
- C9** S. 6(1) modified by S.I. 1991/914, [arts. 7, 8](#), 1991/916, arts. 5, 6, 1991/917, arts. 5, 6, 1991/940, arts. 7, 8, 1991/941, arts. 7, 8, 1991/942, arts. 6, 7, 1991/943, arts. 8, 9, 1991/944, arts. 6, 7, and 1991/945, arts. 6, 7  
1991/942, arts. 6, 7 revoked
- C10** S. 6(1) modified (1991-1992) by S.I. 1991/1811, [arts. 7, 8](#) and 1991/1812, arts. 7, 8
- C11** S. 6(1) modified (1992-93) (1.4.1992) by S.I. 1992/864, [arts. 5, 6](#); 1992/865, arts. 5,6.  
S. 6(1) modified (1992-93) (retrospective to 1.4.1992) by S.I. 1992/1782, [arts. 1\(2\)](#), 7,8; 1992/1783, arts. 1(2), 6,7; 1992/1784, arts. 1(2), 7,8; 1992/1785, arts. 1(2), 7,8; 1992/1786, arts. 1(2), 7,8; 1992/1787, arts. 1(2), 6,7; 1992/1788, s. 1(2), 7,8; 1992/1789, arts. 1(2), 6,7; 1992/1790, arts. 1(2), 8,9; 1992/1791, arts. 1(2), 7,8; 1992/1792, arts. 1(2), 7,8; 1992/1793, arts. 1(2), 7,8; 1992/1794, arts. 1(2), 7,8; 1992/1795, arts. 1(2), 7,8.
- S. 6(1) modified (1992-93, 1993-94, 1994-95) (1.4.1992) by S.I. 1992/1796, [arts. 1\(2\)](#), 5,6.
- C12** S. 6(1) modified (1993-94) (1.4.1993) by: S.I. 1993/874, [arts. 8,9](#); 1993/875, arts. 7,8; 1993/876, arts. 5,6; 1993/877, arts. 7,8; 1993/878, arts. 7,8; 1993/879, arts. 7,8; 1993/880, arts. 7,8; 1993/881, arts.

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7,8; 1993/882, arts. 6,7; 1993/883, arts. 7,8; 1993/884, arts. 7,8; 1993/885, arts. 5,6; 1993/886, arts. 6,7.

S. 6(1) modified (1993-94) (29.6.1993) by: S.I. 1993/1644, arts. 6, 7; 1993/1645, arts. 7, 8; S.I. 1993/1646, arts. 7, 8.

S. 6(1) modified (1992-93, 1993-94, 1994-95) (20.3.1993, with effect as from 1.4.1992), by S.I. 1993/873, arts. 5, 6.

- C13** S. 6(1) modified (30.7.1994) in relation to the valuation of the prescribed class of lands and heritages for the financial year 1994-95 by S.I. 1994/2068, art. 7; 1994/2069, art. 8; 1994/2070, art. 8; 1994/2071, art. 8; 1994/2072, art. 9; 1994/2073, art. 7; 1994/2074, art. 8; 1994/2075, art. 8; 1994/2076, art. 8; 1994/2077, art. 8; 1994/2078, art. 8; 1994/2079, art. 7; 1994/2080, art. 8; 1994/2081, art. 8
- C14** S. 6(1) modified (1.4.1995) in relation to the valuation of the prescribed class of lands and heritages for the financial year 1995-96 by S.I. 1995/367, arts. 6, 7  
S. 6(1) modified (1.4.1995) in relation to the valuation of the prescribed class of lands and heritages by S.I. 1995/366, arts. 5, 6
- C15** S. 6(1) modified (24.3.1994) in relation to the valuation of the prescribed class of lands and heritages for the financial years 1993-94 and 1994-95 by S.I. 1994/911, arts. 5, 6
- C16** S. 6(1) modified (1.4.1995) in relation to the valuation of the prescribed class of lands and heritages for the financial year 1995-96 and the four following financial years by S.I. 1995/368, arts. 7, 8; S.I. 1995/369, arts. 8, 9; S.I. 1995/370, arts. 8, 9; S.I. 1995/371, arts. 7, 8; S.I. 1995/372, arts. 6, 7; S.I. 1995/373, arts. 8, 9; S.I. 1995/929, arts. 7, 8; S.I. 1995/930, arts. 7, 8
- C17** S. 6(1) modified (1.4.1994) in relation to the valuation of the prescribed class of lands and heritages by S.I. 1994/912, arts. 5, 6
- C18** S. 6(1) modified (1.4.1996) in relation to the valuation of the prescribed class of lands and heritages for the financial year 1996-97 and the three following financial years by S.I. 1995/3252, arts. 7, 8
- C19** Power to amend s. 6 (8) given by Local Government (Financial Provisions) (Scotland) Act 1963 (c. 12), s. 10 (2)
- C20** S. 6(9) excluded by Valuation for Rating (Scotland) Act 1970 (c. 4), s. 1 (1)

VALID FROM 04/01/1995

**[<sup>F20</sup>6A Power of Secretary of State to combine and divide lands and heritages.**

- (1) The Secretary of State may by order provide that, for all purposes of the Valuation Acts—
- (a) lands and heritages specified in the order which would, apart from the order, be treated as justifying separate entries in the valuation roll shall be treated as justifying only one such entry; and
  - (b) lands and heritages so specified which would, apart from the order, be treated as justifying only one entry in the valuation roll shall be treated as justifying separate entries,
- and an order under paragraph (b) above shall specify which parts of the lands and heritages concerned are to be treated as justifying separate entries.
- (2) An order under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.]

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### Textual Amendments

**F20** S. 6A inserted (4.1.1995) by 1994 c. 39, s. 161; S.I. 1994/3150, art. 3

## 7 Ascertainment of gross annual value, net annual value and rateable value of lands and heritages.

(1) For the purpose of making up any valuation roll for the year 1961–62 or any subsequent year the following provisions of this section shall have effect regarding agricultural lands and heritages . . . <sup>F21</sup>.

(2) In this section—

“agricultural lands and heritages” means any lands and heritages used for agricultural or pastoral purposes only or as woodlands, market gardens, orchards [<sup>F22</sup>, reed beds], allotments or allotment gardens and any lands exceeding [<sup>F23</sup>one tenth of a hectare] used for the purpose of poultry farming, but does not include any buildings thereon other than agricultural buildings, or any garden, yard, garage, outhouse or pertinent belonging to and occupied along with a dwelling–house, or any land kept or preserved mainly or exclusively for sporting purposes;

“agricultural buildings” means buildings (other than dwelling–houses) occupied together with agricultural lands and heritages, or being or forming part of a market garden, and in either case used solely in connection with agricultural operations thereon; and

“pertinent” [<sup>F24</sup>:in relation to a dwelling house shall be taken to include all land occupied therewith and used for the purposes thereof.]

[<sup>F25</sup>(2A) In determining for the purposes of the last foregoing subsection whether during any year a building used in any way is solely so used or is used for agricultural purposes only, no account shall be taken of any time in that year during which it is used in any other way or, as the case may be, for any other purpose, if that time does not amount to a substantial part of that year.

(2B) In determining for the purposes of subsection (2) of this section whether any lands and heritages (other than a building) are used for agricultural or pastoral purposes only, there shall be disregarded any use of those lands and heritages for the purpose of the breeding, rearing, grazing or exercising of horses (within the meaning of section 6(4) of the <sup>M2</sup>Riding Establishments Act 1964), if the only other use of the lands and heritages is a substantial use for agricultural or pastoral purposes.]

(3) No agricultural lands and heritages shall be entered in the valuation roll, and any reference in any enactment to the person appearing from the valuation roll to be the owner or the occupier of any lands and heritages shall on and after the sixteenth day of May, nineteen hundred and sixty–one, have effect in the case of agricultural lands and heritages [<sup>F26</sup>(other than agricultural lands and heritages being lands and heritages used as reed beds) and on and after the first day of April nineteen hundred and eighty four have effect in the case of agricultural lands and heritages being lands and heritages used as reed beds] as if the reference to the valuation roll were omitted.

[<sup>F27</sup>(3A) Any reference in the valuation roll to any lands and heritages used as reed beds shall, as from 1st April 1984, be of no effect]

(4) . . . . . <sup>F28</sup>

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### Textual Amendments

- F21** Words repealed by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 103:2\)](#), s. 34, [Sch. 6](#)
- F22** Words inserted by [Rating and Valuation \(Amendment\) \(Scotland\) Act 1984 \(c. 31, SIF 103:2\)](#), s. [16\(1\)](#)
- F23** Words substituted by [S.I. 1977/2007](#), [Sch. 1](#)
- F24** Words substituted by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 103:2\)](#), s. 6, [Sch. 1 Pt. III para. 18](#)
- F25** [S. 7\(2A\)\(2B\)](#) added by [Rating Act 1971 \(c. 39\)](#), s. [9 \(a\)](#)
- F26** Words inserted by [Rating and Valuation \(Amendment\) \(Scotland\) Act 1984 \(c. 31, SIF 103:2\)](#), s. [16\(2\)](#)
- F27** [S. 7 \(3A\)](#) inserted by [Rating and Valuation \(Amendment\) \(Scotland\) Act 1984 \(c. 31, SIF 103:2\)](#), s. [16\(3\)](#)
- F28** [S. 7 \(4\) to \(8\)](#) repealed by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 103:2\)](#), s. 34, [Sch. 6](#)

### Modifications etc. (not altering text)

- C21** [S. 7\(2\)](#) modified by [Local Government \(Financial Provisions\) \(Scotland\) Act 1963 \(c. 12\)](#), s. [14\(1\)](#) and [Rating Act 1971 \(c. 39\)](#), [ss. 5–7](#)
- C22** [S. 7\(3\)](#) amended by [Local Government \(Financial Provisions\) \(Scotland\) Act 1963 \(c. 12\)](#), s. [14](#) and [Rating Act 1971 \(c. 39\)](#), [ss. 5–7](#)

### Marginal Citations

- M2** [1964 c. 70](#).

## [<sup>F29</sup>7A] Provisions relating to lands and heritages used for fish farming and dwelling houses occupied in connection therewith.

- (1) For the purpose of any valuation roll in force for the year 1981–82 or any subsequent year or for the making up of any valuation roll for any subsequent year the following provisions of this section shall have effect regarding lands and heritages to which this section applies . . . <sup>F30</sup>
- (2) This section applies to—
- (a) lands and heritages (other than dwelling–houses) used solely for or in connection with fish farming; and
  - (b) lands and heritages consisting of—
    - (i) one or more buildings (other than dwelling–houses) used solely for or in connection with fish farming; or
    - (ii) any land occupied together with and used solely in connection with the use of such building or buildings.
- (3) No lands and heritages to which this section applies shall be entered in the valuation roll, and any reference in any enactment to the person appearing from the valuation roll to be the owner or the occupier of any lands and heritages shall on and after the first day of April nineteen hundred and eighty–one, have effect in the case of lands and heritages to which this section applies as if the reference to the valuation roll were omitted.
- (4) . . . . . <sup>F31</sup>
- (5) Where part of lands and heritages consists of one or more buildings or one or more parts of buildings (being a part of lands and heritages which is used for such a purpose



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that if it were in separate occupation it would be lands and heritages to which this section applies), then that part of the lands and heritages and the remainder shall each be treated as respects the year 1981–82 and subsequent years for the purposes of the Valuation Acts as if it were lands and heritages in separate occupation.

- (6) In subsection (5) above, any reference to a building or part of a building shall be construed as including a reference to land occupied together with and used solely in connection with the use of such building or part.
- (7) In determining for the purposes of this section whether during any year a building used for or in connection with fish farming is solely so used, no account shall be taken of any time in that year during which it is used in any other way, if that time does not amount to a substantial part of that year.
- (8) In this section— “fish farming” means the breeding or rearing of fish or the cultivation of shellfish (including crustaceans and molluscs of any description) for the purpose of producing food for human consumption or for transfer to other waters but does not include the breeding, rearing or cultivation of any fish or shellfish—
- (a) which are purely ornamental, or
  - (b) which are bred, reared or cultivated for exhibition.]

#### Textual Amendments

**F29** S. 7A inserted by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 103:1, 2\), s. 32](#)

**F30** Words repealed by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 103:2\), s. 34, Sch. 6](#)

**F31** S. 7A (4) repealed by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 103:2\), s. 34, Sch. 6](#)

#### [<sup>F32</sup>7B Rateable value of certain buildings used for breeding or rearing horses.

- (1) This section applies to any lands and heritages the whole or any part of which consists of buildings which are—
- (a) used for the breeding and rearing of horses or for either of those purposes; and
  - (b) occupied together with any agricultural land or agricultural building.
- (2) The rateable value of any lands and heritages to which this section applies shall be taken to be the amount determined under section 6 of this Act less whichever is the smaller of the following amounts—
- (a) such amount as the Secretary of State may by order specify for the purposes of this section;
  - (b) the amount which but for this section would be determined under that section in respect of so much of the lands and heritages as consists of buildings so used and occupied.
- (3) An order under subsection (2) of this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) In this section— “agricultural land” means any land of more than two hectares which is agricultural lands and heritages within the meaning of subsection (2) of section 7 of this Act and is not land used exclusively for the pasturing of horses; “agricultural

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building” has the same meaning as in that subsection; and “horses” has the same meaning as in section 6 (4) of the Riding Establishments Act 1964.]

#### Textual Amendments

**F32** S. 7B inserted after s. 7A by [Local Government and Housing Act 1989 \(c. 42, SIF 81:2\)](#), s. 145, **Sch. 6 para. 4**

### 8 Subjects to be excluded from valuation roll.

- (1) ..... <sup>F33</sup>
- (2) No sewer shall be entered in the valuation roll for the year first commencing after the passing of this Act, or for any subsequent year.
- (3) The foregoing subsection shall have effect in relation to any manhole, ventilating shaft, pumping station, pump or other accessory belonging to a sewer as it has effect in relation to the sewer.

#### Textual Amendments

**F33** S. 8 (1) repealed by [Rating \(Disabled Persons\) Act 1978 \(c. 40, SIF 103:1, 2\)](#), s. 9 (3), Sch. 2

### [<sup>F34</sup>8A Common parts of shopping malls not to be entered separately in valuation roll.

There shall not be entered separately in the valuation roll any part of a covered shopping mall, being a part the sole or main purpose of which is to serve two or more of the lands and heritages comprised in the mall.]

#### Textual Amendments

**F34** S. 8A inserted after section 8 by [Rating and Valuation \(Amendment\) \(Scotland\) Act 1984 \(c. 31, SIF 103, 2\)](#), s. 17

### [<sup>F35</sup>8AA Exemption from valuation and rating of certain moorings.

- (1) For the purpose of ascertaining the net annual value of any lands and heritages no account shall be taken of any mooring to which this section applies.
- (2) This section applies to any mooring—
- (a) used or intended to be used by a boat or ship; and
  - (b) equipped only with a buoy attached to an anchor weight or other device—
    - (i) which rests on or in the bed of the sea or any river or other waters when in use; and
    - (ii) which is designed to be raised from that bed from time to time.]

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**Textual Amendments**

**F35** S. 8AA inserted after section 8 by Rating and Valuation (Amendment) (Scotland) Act 1984 (c. 31, SIF 103:2), s. 18

VALID FROM 01/04/2001

**[<sup>F36</sup>8B Property used for road user charging scheme to be excluded from valuation roll**

- (1) There shall not be entered in the valuation roll any lands and heritages—
  - (a) that consist of a road in respect of which charges are imposed by a charging scheme made under Part 3 of the Transport (Scotland) Act 2001 (asp 2); or
  - (b) subject to subsection (2) below, that are used solely for or in connection with the operation of such a scheme.
- (2) Lands and heritages such as are mentioned in subsection (1)(b) above do not include office buildings.]

**Textual Amendments**

**F36** S. 8B inserted (1.4.2001) by 2001 asp 2, s. 59 (with s. 66); S.S.I. 2001/132, art. 2(2), Sch. Pt. I

**9 Duties of assessors.**

- (1) ..... F37
- (3) ..... F38
- (4) ..... F37
- (5) ..... F38
- (6) ..... F39
- (7) ..... F37

**Textual Amendments**

**F37** S. 9 (1) (2) (4) (7) repealed by Local Government (Scotland) Act 1975 (c. 30), s. 39 (2), Sch. 7

**F38** Ss. 9 (3) (5), 11, 15 repealed by Local Government (Scotland) Act 1975 (c. 30), Sch. 7

**F39** S. 9 (6) repealed by Local Government (Scotland) Act 1975 (c. 30), s. 39 (2), Sch. 7

**10** ..... F40

**Textual Amendments**

**F40** S. 10 repealed by Local Government (Scotland) Act 1975 (c. 30), s. 39 (2), Sch. 7

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**11** ..... F41

**Textual Amendments**

**F41** Ss. 9 (3) (5), 11, 15 repealed by Local Government (Scotland) Act 1975 (c. 30), Sch. 7

**12** ..... F42

**Textual Amendments**

**F42** S. 12 repealed by S.I. 1978/252, reg. 17, Sch.

**13 Times for giving notices. etc.**

(1) The Secretary of State may by order prescribe the date on which or the period within which any notice requires to be given or any other thing requires to be done for the purposes of the Valuation Acts and may by such order alter any such date or time prescribed by or under any provision of the said Acts or of any local Act [; <sup>F43</sup> and an order under this section may relate to local authorities generally or to any class of local authority].

(2) ..... F44

(3) Nothing in this section shall apply to any notice or thing required to be given or done for the purpose of any such appeal as is mentioned in section six of the <sup>M3</sup>Rating and Valuation (Scotland) Act, 1952.

(4) The power to make orders conferred on the Secretary of State by this section shall be exercisable by statutory instrument.

**Textual Amendments**

**F43** Words added by Local Government (Scotland) Act 1975 (c. 30), Sch. 6 para. 20 (a)

**F44** S. 13 (2) repealed by Local Government (Scotland) Act 1975 (c. 30), s. 39 (2), Sch. 6 Pt. II para. 20 (b), Sch. 7

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

**C23** S. 13 amended by Local Government (Financial Provisions) (Scotland) Act 1963 (c. 12), s. 22

**Marginal Citations**

**M3** 1952 c. 47.

**14 Stated case to Lands Valuation Appeal Court to set forth reasons for decision.**

In addition to the matters required by section nine of the <sup>M4</sup>Valuation of Lands (Scotland) Amendment Act, 1879, to be set forth in a stated case, there shall also be set forth a statement of the reasons for the decision of the Valuation Appeal Committee.

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**Changes to legislation:** There are currently no known outstanding effects for the Valuation and Rating (Scotland) Act 1956. (See end of Document for details)

### Marginal Citations

**M4** 1879 c. 42.

**15** ..... <sup>F45</sup>

### Textual Amendments

**F45** Ss. 9 (3) (5), 11, 15 repealed by [Local Government \(Scotland\) Act 1975 \(c. 30\)](#), [Sch. 7](#)

## PART II

### RATING

#### **16 Transference of liability for owners' rates and consequential reduction of rents.**

- (1) In the year first commencing after the passing of this Act and in every subsequent year every rate levied by a rating authority shall be payable by occupiers only, and any reference in any enactment or statutory order of a rate or a portion of a rate payable by owners shall be construed accordingly.
- (2) On and after the commencement of the year first commencing after the passing of this Act,—
- the rents payable under leases of lands and heritages;
  - the net rents and standard rents of dwelling-houses [<sup>F46</sup>let on or subject to a protected or statutory tenancy to which the <sup>M5</sup>Rent (Scotland) Act 1971 applies];
  - the amount of the rent or, as the case may be, the maximum amount of the rent fixed, determined or approved in respect of any dwelling-house by or in pursuance of any enactment specified in paragraph 10 of the Third Schedule to this Act;
- shall be reduced in accordance with the provisions of [<sup>F46</sup>Schedule 3 to this Act and subparagraphs (7) to (10) of paragraph 1 of Schedule 8 to the <sup>M6</sup>Rent (Scotland) Act 1971]
- (3) Nothing in this section shall affect any right of a rating authority under any provision . . . <sup>F47</sup> or of the Act of 1947 or any other enactment, to recover the rates levied in respect of any lands and heritages from the owner thereof or the right of such owner to recover the same from the occupier or from the rating authority.

### Textual Amendments

**F46** Words substituted by [Rent \(Scotland\) Act 1971 \(c. 28\)](#), [Sch. 18 Pt. II](#)

**F47** Words repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#)

### Modifications etc. (not altering text)

**C24** [S. 16 \(1\)](#) amended (*temp.*) by [Electricity Act 1989 \(c. 29, SIF 44:1\)](#), [s. 112 \(3\)](#), [Sch. 17 Pt. II paras. 35 \(1\), 36 \(2\)](#)

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### Marginal Citations

**M5** 1971 c. 28.

**M6** 1971 c. 28.

**17** ..... **F48**

### Textual Amendments

**F48** S. 17 repealed by [Local Government \(Scotland\) Act 1966 \(c. 51\)](#), s. 24, **Sch. 6**

**18** ..... **F49**

### Textual Amendments

**F49** S. 18 repealed by [Water \(Scotland\) Act 1980 \(c. 45, SIF 130\)](#), s. 112 (2), Sch. 11

**19** ..... **F50**

### Textual Amendments

**F50** S. 19 repealed by [Local Government \(Scotland\) Act 1975 \(c. 30\)](#), **Sch. 7**

## **20 Contributions in aid of rates by police authorities.**

(1) The police authority of any police area may incur expenses in the making of contributions in aid of rates in respect of lands and heritages, whether in the police area or elsewhere, which are occupied for the purposes of the police force for that area, being lands and heritages in respect of which no rates are paid.

(2) A contribution under this section shall be treated as money paid as rates.

VALID FROM 01/04/1993

### **[<sup>F51</sup>20A Contributions by police authorities.**

(1) The police authority of any police area may incur expenses in the making of contributions in aid of council tax in respect of dwellings, whether in the police area or elsewhere, which are occupied for the purposes of the police force for that area, being dwellings in respect of which no council tax is paid.

(2) A contribution under this section shall be treated as money paid as council tax.]

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**Changes to legislation:** There are currently no known outstanding effects for the Valuation and Rating (Scotland) Act 1956. (See end of Document for details)

### Textual Amendments

**F51** S. 20A inserted (1.4.1993) by [Local Government Finance Act 1992 \(c. 14\)](#), s. 117(1), [Sch. 13 para. 9](#) (with s. 118(1)(2)(4)); S.I. 1993/575, [art. 2\(c\)](#)

## 21 Contributions in aid of rates by Commissioners of Northern Lighthouses.

- (1) The Commissioners of Northern Lighthouses may incur expenses in making contributions in aid of rates in respect of lands and heritages belonging to them, being lands and heritages in respect of which no rates are paid and which consist of dwelling-houses occupied by officers of the said Commissioners other than dwelling-houses which . . . <sup>F52</sup> either form part of a lighthouse or are situated within the curtilage thereof.
- (2) Any contribution under this section shall be paid out of the General Lighthouse Fund and shall be treated as money paid as rates.

### Textual Amendments

**F52** Words repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), s. 122, [Sch. 9 para. 48](#), [Sch. 29](#)

## [<sup>F53</sup>22 Exemption of churches, etc. from rates.

- (1) No non-domestic rate shall be levied on any premises to the extent that they consist of—
  - (a) a building occupied by a religious body and used for the purpose of religious worship;
  - (b) a church hall, chapel hall or similar premises used in connection with a building such as is referred to in paragraph (a) above for the purposes of the religious body which occupies that building; or
  - (c) any premises occupied by a religious body and used by it—
    - (i) for carrying out administrative or other activities relating to the organisation of the conduct of religious worship in a building such as is referred to in paragraph (a) above; or
    - (ii) as an office or for office purposes, or for purposes ancillary to its use as an office or for office purposes.
- (2) Where any such premises as are mentioned in subsection (1) above form part of other lands and heritages and are not entered separately in the valuation roll, the net annual value of those lands and heritages shall be apportioned between the said premises and the remainder of the lands and heritages, and the net annual values of such premises and of the remainder shall be shown separately in the valuation roll.
- (3) The provisions of the Valuation Acts (including, without prejudice to the foregoing generality, the provisions with respect to persons whose property is valued and with respect to appeals and complaints) shall apply with regard to any matter required by subsection (2) above to be shown in the valuation roll.
- (4) In subsection (1)(c) above—
 

“office purposes” includes administration, clerical work and handling money; and

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“clerical work” includes writing, book-keeping, sorting papers or information, filing, typing, duplicating, calculating (by whatever means), drawing and the editorial preparation of matter for publication.]

#### Textual Amendments

**F53** S. 22 substituted (1.4.1992) by [Local Government Finance Act 1992 \(c. 14\)](#), ss. 117(1), [Sch. 13 para.10](#) (with s. 118(1)(2)(4)); S.I. 1992/818, [art. 2\(a\)](#)

#### [<sup>F54</sup>22A Exemption of certain fishings from rates.

- (1) In respect of each of the following years, that is to say the year 1989–90 and subsequent years, no rate shall be levied in respect of lands and heritages which fall within any of paragraphs (a) to (c) below—
- (a) lands and heritages which—
    - (i) consist of rights of salmon fishing entered separately in the valuation roll; and
    - (ii) are situated in a salmon fishery district for which there is, immediately before the beginning of the year, a district salmon fishery board;
  - (b) lands and heritages which consist of rights of salmon fishing entered separately in the valuation roll, being rights which are exercisable in the River Tweed and as regards which an annual rate or assessment is levied under section 79 of the Tweed Fisheries Act 1857 or section 5 of the Tweed Fisheries (Amendment) Act 1859. In this paragraph, “River Tweed” means “the River” as defined by the Tweed Fisheries (Amendment) Act 1859 as amended by the byelaw made under section 4 of the Salmon Fisheries (Scotland) Act 1863;
  - (c) lands and heritages which consist of rights of fishing entered separately in the valuation roll, being rights which are exercisable in an area defined by an order which—
    - (i) is made under section 28 (3) of the Salmon and Freshwater Fisheries Act 1975; and
    - (ii) contains such provision as is mentioned in [<sup>F55</sup>section 28 (3) (a) of that Act].
- (2) Subsection (1) of this section is without prejudice to subsections (2) to (4) of section 7 of the Local Government and Miscellaneous Financial Provisions (Scotland) Act 1958 (certain rights of salmon fishing deemed for the purposes of making up the valuation roll to be agricultural lands and heritages).
- (3) In subsection (1) of this section—
- (a) “salmon fishery district” has the meaning assigned to it by section 40(1) of the Salmon Act 1986;
  - (b) “district salmon fishery board” means a district salmon fishery board which exists by virtue of section 14 of that Act.]

#### Textual Amendments

**F54** S. 22A inserted by [Local Government Finance Act 1988 \(c. 41, SIF 81:2\)](#), s. 137, [Sch. 12 Pt. I para. 6](#)

**F55** Words substituted by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58 (7), 101 (1), 141 (6), 160 (1) (2) (4), 163, 189 (4)–10, 190, 193 (1), Sch. 25 para. 22, Sch. 26 paras. 3 (1) (2), 17, 40 (4), 57 (6), 58



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## 23 Provisions as to the rates payable by charitable and other organisations.

(1) A rating authority shall have power to reduce or remit any rate leviable in the year 1956–57 or in any subsequent year in respect of—

- (a) any lands or heritages occupied for the purposes of an organisation (whether corporate or unincorporate) which is not established or conducted for profit and whose main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare, or are concerned exclusively with science, literature or the fine arts; or
- (b) any lands and heritages held on trust for use as an almshouse ; or
- (c) any lands and heritages consisting of a playing field (that is to say, land used exclusively or mainly for the purposes of open–air games or of open–air athletic sports) occupied for the purposes of a club, society or other organisation which is not established or conducted for profit and does not (except on special occasions) make any charge for the admission of spectators to the playing field :

Provided that this subsection shall not apply to any lands and heritages to which paragraph (a) or (b) of subsection (1) of the last foregoing section applies or to lands and heritages occupied by a local authority or by any body to whom section two hundred and seventy of the Act of 1947 applies.

(2) The Scientific Societies Act, 1843, shall cease to have effect except in relation to lands and heritages in respect of which, at the passing of this Act and by virtue of section one of the said Act of 1843, the person occupying was not liable to be assessed or rated, and which continue to be occupied by that person.

(3) In this section the expression “rate” does not include a domestic water rate.

### Modifications etc. (not altering text)

**C25** The text of ss. 23, 28, 30 (2), 34, 36 and 38 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

## PART III

### VALUATION AND RATING OF GAS BOARDS

#### [<sup>F56</sup>24 Valuation and rating of Gas Boards.

(1) For the purposes of the levying of rates in respect of [<sup>F57</sup>any year subsequent to the year following the appointed day], any Gas Board which supplied any gas to consumers in a separately rated area during the twelve months ending with the thirty–first day of March falling within the immediately preceding year, or who manufactured any gas in a separately rated area during the twelve months ending with the said thirty–first day of March, shall be treated as occupying in that area during . . . <sup>F58</sup> such subsequent year lands and heritages of a rateable value calculated in accordance with the provisions of Part I of the Fourth Schedule to this Act.

(2) The liability of a Gas Board to be rated in respect of any year in respect of such lands and heritages as are mentioned in the foregoing subsection shall be in substitution for

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any liability of the Gas Board to be rated in respect of any lands and heritages actually occupied by them during that year, other than any excepted premises so occupied; and accordingly no lands and heritages occupied by a Gas Board, other than excepted premises, shall be liable to be rated in respect of the year [<sup>F59</sup>subsequent to the year following the appointed day] or any subsequent year, . . . <sup>F60</sup>

(3) The provisions of Part II of the Fourth Schedule to this Act shall have effect for the purposes of the foregoing provisions of this section.

(4) In this . . . <sup>F61</sup> section—

[<sup>F62</sup>“appointed day” means the day appointed by the Secretary of State under section 1(1) of the <sup>M7</sup>Gas Act 1972]

“excepted premises” means dwelling—houses, or lands and heritages held by a Gas Board under a lease for a period not exceeding twenty—one years or let by a Gas Board, or lands and heritages which are not used or adapted for use for the purposes of the functions of a Gas Board [<sup>F63</sup>or lands and heritages occupied and used by the British Gas Corporation wholly or mainly for the manufacture of plant or gas fittings]; and

“separately rated area” means [<sup>F64</sup>“an islands area or district].]

#### Textual Amendments

- F56** S. 24 repealed so far as relating to the British Gas Corporation in Scotland for any year commencing on or after 1.4.1978 by S.I. 1978/1176, art. 9, Sch.
- F57** Words substituted by Gas Act 1972 (c. 60), Sch. 6 para. 6 (1) (b)
- F58** Words repealed by Gas Act 1972 (c. 60), Sch. 6 para. 6 (1) (b), Sch. 8
- F59** Words substituted by Gas Act 1972 (c. 60), Sch. 6 para. 6 (1) (c)
- F60** Words repealed by Gas Act 1972 (c. 60), Sch. 6 para. 6 (1) (c), Sch. 8
- F61** Words repealed by Gas Act 1972 (c. 60), Sch. 6 para. 6 (1) (d), Sch. 8
- F62** Definition added by Gas Act 1972 (c. 60), Sch. 6 para. 6 (1) (d)
- F63** Words inserted by Gas Act 1972 (c. 60), Sch. 6 para. 6 (1) (d)
- F64** Words substituted by Local Government (Scotland) Act 1973 (c. 65), s. 122, Sch. 9 para. 49

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

- C26** S. 24 applied by Gas Act 1972 (c. 60), s. 34 (3) (b), and Local Government (Scotland) Act 1975 (c. 30), s. 6 (1), Sch. 1 para. 3; amended by Gas Act 1972 (c. 60), Sch. 6 para. 6 (1) (a)
- C27** S. 24 (1) amended by Local Government (Financial Provisions etc.) (Scotland) Act 1962 (c. 9), s. 3 and Gas Act 1965 (c. 36), s. 3 (2) (12) (b)
- C28** S. 24 (2) excluded by Local Government (Scotland) Act 1966 (c. 51), ss. 18 (1), 19 (1)

#### Marginal Citations

- M7** 1972 c. 60.

#### Textual Amendments

- F65** S. 25 repealed by Local Government (Financial Provisions) (Scotland) Act 1963 (c. 12), s. 27, Sch. 3 Pt. I

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## PART IV

### EXCHEQUER GRANTS

26 ..... F66

#### Textual Amendments

F66 S. 26 repealed by Local Government (Scotland) Act 1973 (c. 65), Sch. 29

27 ..... F67

#### Textual Amendments

F67 S. 27 repealed by Local Government (Financial Provisions) (Scotland) Act 1963 (c. 12), s. 27, Sch. 3 Pt. I

### 28 Amendment of s. 11 (1) of Act of 1954.

On and after the sixteenth day of May, nineteen hundred and fifty-six, subsection (1) of section eleven of the Act of 1954 (which section contains provisions relating to the method of allocating the expenditure of any combination of local authorities) shall have effect as if for the words from “any reference” to the end of the subsection there were substituted the following words :—

“any reference in that provision to the rateable valuation of an area, or part of an area, of an authority shall be construed—

- (a) where the area is a county the council of which are charged under any enactment with providing the service to which the combination relates in one or more burghs, as a reference to an amount calculated by taking the rateable valuation of the landward area of the county, or that part thereof as aforesaid, or its standard rateable value, whichever is the higher, and adding thereto the rateable valuation or the standard rateable value, whichever is the higher, of each burgh situated in the county or such part thereof, being a burgh within which the county council are charged with providing the said service;
- (b) in any other case as a reference to the rateable valuation of that area, or that part of that area, or to its standard rateable value, whichever is the higher.”

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

C29 The text of ss. 23, 28, 30 (2), 34, 36 and 38 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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**29 Duration of Part IV.**

Section fourteen of the Act of 1954 in so far as it relates to the expiry of the said Act is hereby repealed, and the said Act and this Part of this Act (which shall be construed as one with the Act of 1954) and Part II of the Act of 1948 shall continue in force until the expiry of the sixth year after the passing of this Act and shall then expire.

**PART V**

MISCELLANEOUS AND CONSEQUENTIAL PROVISIONS

**30 Calculation or apportionment of sums to be according to net annual valuation.**

- (1) Where in pursuance of any enactment, statutory order or agreement any sum is required to be calculated according to the gross annual valuation of any area or is required to be apportioned and allocated among local authorities or other bodies according to the gross annual valuation of any two or more areas, such calculation or such apportionment and allocation, as the case may be, shall, on and after the sixteenth day of May, nineteen hundred and sixty-one, be made according to the net annual valuation of the area or areas in question.
- (2) Subsection (2) of section two hundred and eighteen of the Act of 1947 (which subsection contains provisions relating to the apportionment of expenditure among local authorities) shall on and after the date mentioned in the foregoing subsection have effect as if for the words “gross annual valuation” appearing therein there were substituted the words “net annual valuations”.

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

**C30** The text of ss. 23, 28, 30 (2), 34, 36 and 38 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**31** ..... **F68**

**Textual Amendments**

**F68** S. 31 repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 29**

**32** ..... **F69**

**Textual Amendments**

**F69** S. 32 repealed by [Local Government \(Financial Provisions\) \(Scotland\) Act 1963 \(c. 12\)](#), **Sch. 3 Pt. II**

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**33 Amendment of ss. 239 to 241 of Act of 1947.**

The deduction allowed to an owner of lands and heritages in pursuance of sections two hundred and thirty–nine, two hundred and forty and two hundred and forty–one of the Act of 1947 (which sections provide for the recovery from the owner of certain lands and heritages of the occupiers’ rates payable in respect thereof) shall after the commencement of the year first commencing after the passing of this Act be two and one–half per centum or such larger sum not exceeding five per centum as the rating authority and the owner may in any case agree or as may, in default of such agreement, be fixed by the sheriff on application by the rating authority or the owner.

**34 Amendment of s. 248 of Act of 1947.**

Section two hundred and forty–eight of the Act of 1947, (which provides that a claim against any person in respect of rates due by him shall have priority over other claims against such person) shall have effect as if the following proviso were inserted at the end of subsection (2), namely:— “ Provided that nothing in this section shall authorise the recovery from the person who has taken the goods and effects of any sum exceeding the amount recovered by that person under deduction of the expenses of and incidental to the taking of such goods and effects and their preservation and sale. ”

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

**C31** The text of ss. 23, 28, 30 (2), 34, 36 and 38 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**35** ..... **F70**

**Textual Amendments**

**F70** S. 35 repealed by [Representation of the People Act 1969 \(c. 15\), Sch. 3 Pt. II](#)

**36 Amendment of Seventh Schedule to Housing (Scotland) Act, 1950.**

On and after the sixteenth day of May first occurring after the passing of this Act the Seventh Schedule to the Housing (Scotland) Act, 1950 (which contains provisions for the purpose of determining the amount of the contributions which the Secretary of State is required or authorised under certain enactments to make to a local authority), shall have effect as if for sub–paragraph (2) of paragraph 5 thereof there were substituted the following sub–paragraph:—

“(2) The estimated expenditure for the financial year shall be the sum of the amounts ascertained under heads (c), (d) and (e) of the foregoing sub–paragraph and an amount equal to the owner’s rates for the financial year in which the Valuation and Rating (Scotland) Act, 1956, passed.”

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*Changes to legislation: There are currently no known outstanding effects for the Valuation and Rating (Scotland) Act 1956. (See end of Document for details)*

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

**C32** The text of ss. 23, 28, 30 (2), 34, 36 and 38 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**37** ..... **F71**

**Textual Amendments**

**F71** S. 37 repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 30**

**38 Amendment of s. 1 (9) of Land Drainage (Scotland) Act, 1941.**

On and after the sixteenth day of May, nineteen hundred and sixty–one, subsection (9) of section one of the Land Drainage (Scotland) Act, 1941, shall have effect as if for the words from “in proportion to the gross annual value” to the end of the subsection there were substituted the words “in such proportions as, failing agreement, may be determined by the Secretary of State”.

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

**C33** The text of ss. 23, 28, 30 (2), 34, 36 and 38 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**39** ..... **F72**

**Textual Amendments**

**F72** S. 39 repealed by [Agriculture Act 1958 \(c. 71\)](#), **Sch. 2 Pt. I**

**40** ..... **F73**

**Textual Amendments**

**F73** S. 40 repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 29**

**41 Financial Provisions.**

There shall be paid out of moneys provided by Parliament—

- (a) any increase attributable to the passing of this Act in the sums payable out of moneys so provided under the Act of 1954; and

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*Changes to legislation:* There are currently no known outstanding effects for the Valuation and Rating (Scotland) Act 1956. (See end of Document for details)

- (b) any increase attributable to the passing of this Act in the sums payable out of moneys so provided under section ten of the <sup>M8</sup>Police (Scotland) Act, 1946; and
- (c) all expenses incurred by the Secretary of State under this Act.

**Marginal Citations**

M8 1946 c. 71.

**42 Provisions as to orders.**

- (1) Any power to make an order conferred on the Secretary of State by this Act, other than the power conferred on him by paragraph 2 or paragraph 7 of the Fourth Schedule to this Act, shall include a power exercisable in the like manner to make an order varying or revoking any order so made.
- (2) An order made by the Secretary of State under this Act may contain such incidental, consequential and supplemental provisions as appear to the Secretary of State to be necessary or proper for bringing the order into operation and giving full effect thereto.

**43 Interpretation.**

- (1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

“the Act of 1947” means the <sup>M9</sup>Local Government (Scotland) Act, 1947;

“the Act of 1948” means the <sup>M10</sup>Local Government Act, 1948;

“the Act of 1954” means the <sup>M11</sup>Local Government (Financial Provisions) (Scotland) Act, 1954;

“the Advisory Council” has the meaning assigned to it by section three of this Act;

<sup>F74</sup>  
...

“drain” means a drain used for the drainage of one building or of any buildings or yards pertaining to buildings within the same curtilage;

<sup>F75</sup>  
...

[<sup>F76</sup>“gas” includes gas in a liquid state, but—

- (a) the liquefaction of gas, and
- (b) the evaporation of gas in a liquid state,

shall not of themselves be taken to constitute the manufacture of gas or the application of a process to gas]

<sup>F77</sup>  
.....

<sup>F74</sup>  
...

“local authority” has the like meaning as in the Act of 1947;

“net annual valuation”, in relation to any area, means the total of the net annual values of the lands and heritages in that area;

“officer” includes servant;

“rate” means any rate, . . . <sup>F78</sup>the proceeds of which are applicable to public local purposes and which is leviable in respect of lands and heritages, but does not include—

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- (a) the fishery assessment levied under the <sup>M12</sup>Salmon Fisheries (Scotland) Act, 1862, and the Acts amending that Act or under any corresponding provision of a local Act; or
- (b) any rate payable under section one of the <sup>M13</sup>Land Drainage (Scotland) Act, 1941;

“rateable valuation”, in relation to any area, means the total of the rateable values of the lands and heritages in that area;

... <sup>F79</sup>

“sewer” does not include a drain as defined in this section but, save as aforesaid, includes all sewers and drains used for the drainage of buildings and yards pertaining to buildings;

[<sup>F80</sup> “the Valuation Acts” means the <sup>M14</sup>Lands Valuation (Scotland) Act 1854, the Acts amending that Act and any other enactment relating to valuation;]

“Valuation Appeal Committee” has the meaning assigned to it by section five of this Act;

“valuation area” has the meaning assigned to it by section one of this Act;

“valuation authority” has the meaning assigned to it by section one of this Act;

“year” means a period of twelve months beginning with the sixteenth day of May, and “the year 1956–57” means the year beginning with the sixteenth day of May, nineteen hundred and fifty–six, and any corresponding expression in which two years are similarly mentioned means the year beginning with the sixteenth day of May in the first mentioned of those two years.

- (2) For the purpose of the application of this Act (except section sixteen and Part IV thereof and the Third Schedule thereto) to any valuation area for which the valuation roll comes into force on a day other than the sixteenth day of May, any reference in this Act to the last–mentioned day shall be construed as a reference to that other day; and for the purpose of the application of the said section sixteen and the said Third Schedule to the area of any local authority whose financial year commences on a day other than the sixteenth day of May, any reference in this Act to the last–mentioned day shall be construed as a reference to that other day.

- (3) Any reference in this Act to any enactment shall be construed as a reference to that enactment as amended or extended by any other enactment including this Act.

#### Textual Amendments

**F74** Definitions of “burgh” and “large burgh” repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), s. 122, [Sch. 9 para. 50](#), [Sch. 29](#)

**F75** Definition of “Gas Board” repealed by [Gas Act 1972 \(c. 60\)](#), [Sch. 6 para. 6 \(2\)](#), Sch. 8

**F76** Definition added by [Gas Act 1972 \(c. 60\)](#), [Sch. 6 para. 6 \(2\)](#)

**F77** Definition of “gross annual valuation” repealed by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 103:2\)](#), s. 34, [Sch. 6](#)

**F78** Words repealed by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 103:2\)](#), s. 34, [Sch. 6](#)

**F79** Definition of “rating authority” repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), s. 122, [Sch. 9 para. 50](#), [Sch. 29](#)



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**F80** Definition substituted by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 103:2\)](#), s. 6, [Sch. 1 Pt. III para. 20](#)

**Marginal Citations**

- M9** 1947 c. 43.
- M10** 1948 c. 26.
- M11** 1954 c. 13.
- M12** 1862 c. 97.
- M13** 1941 c. 13.
- M14** 1854, c. 91

**44** ..... **F81**

**Textual Amendments**

**F81** S. 44 repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), [Sch. Pt. XI](#)

**45** **Short title and extent.**

- (1) This Act may be cited as the Valuation and Rating (Scotland) Act, 1956.
- (2) This Act shall extend to Scotland only.

**Status:**

Point in time view as at 01/04/1992. This version of this Act contains provisions that are not valid for this point in time.

**Changes to legislation:**

There are currently no known outstanding effects for the Valuation and Rating (Scotland) Act 1956.