

## 1975 No. 1220 (S. 184)

## RATING AND VALUATION

## The Valuation (Local Panels and Appeal Committees Model Scheme) (Scotland) Order 1975

*Made* - - - - 14th July 1975

*Laid before Parliament* 31st July 1975

*Coming into Operation* 15th August 1975

In exercise of the powers conferred on me by section 4 of the Local Government (Scotland) Act 1975(a) and of all other powers enabling me in that behalf I hereby make the following order:—

*Citation and commencement*

1. This order may be cited as the Valuation (Local Panels and Appeal Committees Model Scheme) (Scotland) Order 1975 and shall come into operation on 15th August 1975.

*Interpretation*

2.—(1) The Interpretation Act 1889(b) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

(2) In this order:—

“the Act” means the Local Government (Scotland) Act 1975; and other words and expression have the same meaning as in the Act.

(3) Any reference in this order to a numbered article shall be construed as a reference to the article bearing that number in this order.

*The model scheme*

3. The local valuation panel (hereinafter referred to as “the panel”) shall consist of not less than 15 and not more than 60 persons (hereinafter referred to as “panel members”) as the sheriff may from time to time decide after consultation with the valuation authority and such other persons as he may think fit.

4. Panel members shall be appointed by the sheriff in accordance with section 4(2) of the Act to come into office on 16th August 1975 and shall be so appointed as necessary from time to time thereafter; provided that no person shall be appointed to a panel for a term of office which would commence after his reaching the age of 70 years; provided always that, in the case of appointments taking effect on 16th August 1975 only, the sheriff may allow such an appointment if he considers it necessary for the proper functioning of the panel or any valuation appeal committee.

(a) 1975 c. 30.

(b) 1889 c. 63.

5. One-half or as near as may be of the panel members shall be appointed for a term ending on 30th September 1977 and the remainder of the panel members shall be appointed for a term ending on 30th September 1980.

6. Any appointment made to fill a vacancy arising from the expiry of a term of office shall be for a period of 5 years.

7. Subject to the provisions of article 3 the sheriff may make any appointment which he considers desirable in consequence of any vacancy arising from the death, resignation or termination of appointment of a panel member, or to add to the number of panel members; and any such appointment shall be for such term, not exceeding 5 years, as the sheriff thinks fit.

8. The sheriff shall, after consultation with such persons as he thinks fit, appoint from the panel members a chairman (hereinafter referred to as the "panel chairman") and such number of deputy chairmen (hereinafter referred to as "panel deputy chairmen") of the panel as he considers necessary, each to hold office for the term of his current appointment as a panel member.

9. Save as otherwise provided any panel chairman, panel deputy chairman or panel member shall at the expiry of his term of office be eligible for re-appointment.

10. The sheriff shall appoint a secretary and, after consultation with the valuation authority and the panel chairman, may appoint an assistant secretary or assistant secretaries.

11. The secretary of the panel shall notify the sheriff of any vacancy in the membership of the panel as it occurs and in the case of a retirement on the expiry of a term of office shall do so not less than 6 months before such retirement is to take effect.

12. Notwithstanding the provisions of any other article of this order the sheriff may at any time terminate the appointment of the panel chairman, any panel deputy chairman or panel member, the secretary or any assistant secretary if the sheriff is of opinion that there is reason which justifies such termination; provided that the power under this article to terminate the appointment of the panel chairman or any panel deputy chairman or panel member shall not be exercised without the consent of the Lord President of the Court of Session.

13. For the purpose of hearing and determining appeals and complaints under the Valuation Acts the panel chairman shall from time to time appoint panel members to be members of a valuation appeal committee or such valuation appeal committees as he may deem requisite, each committee to consist of a committee chairman and not less than 3 or more than 6 other members.

Provided that—

- (a) the panel chairman may delegate the exercise of his functions under this article to a panel deputy chairman and in the event of the panel chairman being incapacitated by illness, the sheriff may appoint a panel deputy chairman to exercise the functions of the panel chairman under this article until he has recovered; and
- (b) in any year of revaluation, a committee may consist of a committee chairman and more than 6 other members if in the opinion of the panel chairman such a committee is desirable having regard to the nature of the appeals or complaints for the hearing or determination

of which the committee is to be appointed or for the purpose of ensuring the uniform application of legal and valuation principles within the valuation area.

**14.** The quorum of a valuation appeal committee appointed under article 13 shall be three.

**15.** The chairman of a valuation appeal committee appointed under article 13 shall be the panel chairman or in his absence a panel deputy chairman. If neither the panel chairman nor a panel deputy chairman is in attendance at a meeting the members present shall elect a chairman from their number for that meeting. At any meeting of the committee the chairman shall have a casting vote.

**16.** A valuation appeal committee shall sit at such place or places within the valuation area, and at such times as the panel chairman, after consultation with the valuation authority, shall decide, having due regard to the convenience of panel members and the parties who are to appear before the committee.

**17.** The valuation authority shall provide for the panel and any valuation appeal committee such accommodation and services as may be requisite for the panel and the valuation appeal committees to exercise their functions.

*William Ross,*  
One of Her Majesty's Principal  
Secretaries of State.

New St. Andrew's House,  
Edinburgh.  
14th July 1975.

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#### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order prescribes the model scheme for the constitution of a local valuation panel and valuation appeal committees in each valuation area for the purpose of hearing and determining appeals and complaints under the Valuation Acts.

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