
STATUTORY INSTRUMENTS

1993 No. 290

**The Council Tax (Alteration of Lists
and Appeals) Regulations 1993**

PART III

Appeals

Evidence: general

- 26.**—(1) This regulation applies to—
- (a) information supplied in pursuance of Schedule 9 to the 1988 Act or section 27(1) or (3) of the Act; and
 - (b) information contained in any particulars delivered document.
- (2) Subject to the following provisions of this regulation, information to which this regulation applies shall in any relevant proceedings be admissible as evidence of any fact stated in it, and any document purporting to contain such information shall, unless the contrary is shown, be presumed—
- (a) to have been supplied by the person by whom it purports to have been supplied;
 - (b) to have been supplied by that person in any capacity in which it purports to have been supplied.
- (3) Information to which this regulation applies shall not be used in any relevant proceedings by a listing officer unless—
- (a) not less than two weeks' notice, specifying in relation to any information to be so used the documents or other media in or on which that information is held and the dwelling or dwellings to which it relates, has previously been given to every other party to the proceedings; and
 - (b) any person who has given not less than 24 hours' notice of his intention to do so has been permitted, at any reasonable time—
 - (i) to inspect the documents or other media in or on which such information is held; and
 - (ii) to make a copy (other than a photographic copy) of, or of any extract from, any document containing such information.
- (4) Subject to paragraph (5), any person to whom notice relating to any dwelling has been given under paragraph (3)(a) may before the hearing serve notice on the listing officer specifying other dwellings as being dwellings which are comparable in character or otherwise relevant to that person's case, and requiring the listing officer—
- (a) to permit him at any reasonable time specified in the notice to inspect and (if he so desires) to make a copy (other than a photographic copy) of, or of any extract from, any document containing information to which this regulation applies which relates to those other dwellings and is in the possession of the listing officer; and
 - (b) to produce at the hearing or to submit to the tribunal such documents as before the hearing he has informed the listing officer that he requires.

(5) The number of dwellings specified in a notice under paragraph (4) shall not exceed four or, if greater, the number specified in the notice under paragraph (3)(a).

(6) Nothing in the foregoing provisions of this regulation shall be construed as requiring the making available for inspection or copying, or the production of, any document insofar as it contains information other than information which is reasonably required for the purposes of the relevant proceedings.

(7) Where a notice has been given to the listing officer under paragraph (4), and the listing officer refuses or fails to comply with the notice, the person who gave the notice may apply to the tribunal or, as the case may be, the arbitrator appointed to determine the appeal; and that tribunal or arbitrator may, if satisfied that it is reasonable to do so, direct the listing officer to comply with the notice as respects all the dwellings or such of them as the tribunal or arbitrator may determine.

(8) In this regulation “relevant proceedings” means any proceedings on or in consequence of an appeal, and any proceedings on or in consequence of a reference to arbitration under regulation 33.

(9) If any document required to be made available for inspection in accordance with this regulation is not maintained in documentary form, the duty to make it so available is satisfied if a print-out, photographic image or other reproduction of the document which has been obtained from the storage medium adopted in relation to the document is made available for inspection.