
STATUTORY INSTRUMENTS

1994 No. 3279

The Non-Domestic Rating (Chargeable Amounts) Regulations 1994

PART V

I CERTIFICATION

Certification by appropriate valuation officer

35.—(1) The appropriate valuation officer shall certify the values which fall to be certified by him under these Regulations as soon as practicable after the circumstances calling for the certification come to his attention (whether by virtue of an application by the billing authority, the Secretary of State or the ratepayer concerned, or otherwise).

(2) Where, whether by reason of a decision of a valuation tribunal or otherwise, the appropriate valuation officer forms the opinion that a certification under any of the foregoing provisions of these Regulations (other than such a certification which has been confirmed on appeal) is inaccurate, he shall certify the value which in his opinion should be substituted for that originally certified.

(3) A certification under paragraph (2) shall have effect for the purposes of the foregoing provisions of these Regulations in place of the previous certification, and any appeal against that certification under regulation 36 of these Regulations shall be deemed to have been withdrawn.

(4) The valuation officer certifying a value pursuant to these Regulations shall send a copy of the certification to:

- (a) the billing authority concerned, or, insofar as it relates to a liability under section 54 of the Act, the Secretary of State; and
- (b) the ratepayer concerned.

(5) The copy of a certification sent to the ratepayer in pursuance of paragraph (4) above shall be accompanied by a statement of the effect, in relation to the certification of:

- (a) Part V of the Non-Domestic Rating (Alteration of Lists and Appeals) Regulations 1993(1); and
- (b) where it is a certification under paragraph (2) above, paragraph (3) above,

and may be sent to the ratepayer's last known address or to the address of the hereditament in question.

(6) The valuation officer certifying the value pursuant to these Regulations shall retain the certification and a person may at any reasonable time inspect it.

Appeals against certification

36.—(1) Subject to paragraph (5), where an interested person in relation to a hereditament in respect of which a value is certified by an appropriate valuation officer in pursuance of these

(1) S.I. 1993/291, amended by S.I. 1994/1809.

Regulations is dissatisfied with the value so certified, he may appeal against the certification in accordance with this regulation.

(2) An appeal under paragraph (1) shall be initiated by serving, before 1 April 2001, a notice on the valuation officer stating the appellant's reasons for being dissatisfied.

(3) Unless within four weeks of the date of the service of the notice of the appellant's reasons under paragraph (2), either —

(a) the notice is withdrawn, or

(b) the appropriate valuation officer and the appellant agree in writing as to the value which should be certified,

the disagreement shall at the expiry of that period be referred by that officer to the relevant valuation tribunal as an appeal against that certification.

(4) Part VI of the Non-Domestic Rating (Alteration of Lists and Appeals) Regulations 1993 applies in relation to an appeal under this regulation.

(5) No appeal may be made against a certification given by an appropriate valuation officer for the purposes of paragraph 3(2)(a) of Schedule 5 (central and local lists hereditaments treated from 1 April 1995 as one hereditament).