
STATUTORY INSTRUMENTS

1994 No. 3280

RATING AND VALUATION

The Docks and Harbours (Rateable Values) (Amendment) Order 1994

Made - - - - 20th December 1994

Coming into force - - 21st December 1994

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 140(4) and 143(1) and (2) of, and paragraph 3(1) of Schedule 6 to, the Local Government Finance Act 1988(1), and of all other powers enabling them in that behalf, hereby make the following Order, a draft of which has been laid before, and approved by resolution of, each House of Parliament:

Citation and commencement

1. This Order may be cited as the Docks and Harbours (Rateable Values) (Amendment) Order 1994 and shall come into force on the day after the day on which it is made.

Amendments to the 1989 Order.

2.—(1) Subject to article 3, with effect from 1st April 1995, the Docks and Harbours (Rateable Values) Order 1989(2) shall be amended in accordance with the following paragraphs.

(2) In article 2—

- (a) at the beginning, insert “(1)”;
- (b) in the definition of “adjusted income”, for “1987”, substitute “1992”;
- (c) in the definition of “relevant income”, insert, after “means”, “,subject to paragraph (2),”;
- and
- (d) at the end, insert,

“(2) In relation to the Port of London Authority (the “Authority”) and Port of Tilbury London Limited (the “company”) in respect of the year beginning on 1st April 1995, the reference to “income” in the definition of “relevant income” in paragraph (1) shall be taken as a reference to that part of the income of the undertaking of the Authority

(1) 1988 c.

(2) Section 143(2) is amended by paragraph 72(2) of Schedule 5 to the Local Government and Housing Act 1989 (c. 42). Paragraph 3(1) of Schedule 6 was amended by paragraph 38(12) of Schedule 5 to the 1989 Act. See section 146(6) of the 1988 Act for the definition of “prescribed”.

for the accounting period of twelve months ending on 31st December 1992 which, if the undertakings of the Authority and the company as constituted immediately after the transfer confirmed by the Port of Tilbury Transfer Scheme 1991 Order 1992(3) had existed throughout those months, would have been the income of the undertakings of the Authority and the company respectively in relation to those months.”.

(3) In article 3(2)(a), for “not more than £50,000”, substitute “less than £1,000,000”.

(4) In articles 3(2)(a)(i) and 4(1)(a)(i), for “1987”, substitute “1992” and, for “1988”, substitute “1993”.

(5) In articles 3(2)(a)(ii) and 4(1)(a)(ii), for “1988”, substitute “1993”.

(6) In article 4(1)(a), for “1990”, substitute “1995”.

Savings

3. Without prejudice to section 16(1) of the Interpretation Act 1978(4), the amendments made by article 2 shall have no effect on and after 1st April 1995 for the purposes of or for purposes connected with—

- (a) any alteration of a list in force immediately before 1st April 1995; or
- (b) any provision made by regulations made under section 58(5) of the 1988 Act (special provision for 1995 onwards) as to the chargeable amount as regards a hereditament for a relevant period as defined in that section.

Signed by authority of the Secretary of State for the Environment

Department of the Environment
19th December 1994

David Curry
Minister of State,

Signed by authority of the Secretary of State for Wales

20th December 1994

Gwilym Jones
Parliamentary Under Secretary of State, Welsh
Office

(3) S.I.1989/2473.
(4) S.I. 1992/284.
(5) 1978 c. 30.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Docks and Harbours (Rateable Values) Order 1989 in consequence of the 1995 non-domestic rating revaluation. Under the 1989 Order, an undertaking's relevant income is used to determine the applicability of the Order and to calculate the rateable value of any hereditament to which the Order applies. As a result of the Port of Tilbury Transfer Scheme, special provision is made for determining the relevant income of the Port of London Authority and Port of Tilbury London Limited for the accounting period of 12 months ending on 31st December 1992.