

---

STATUTORY INSTRUMENTS

---

**1995 No. 3056**

**The Valuation Tribunals (Wales) Regulations 1995**

**PART IV**

**TRANSITIONAL PROVISIONS**

**Transferred appeals**

**13.**—(1) Any appeal to an old tribunal which was initiated before 1st April 1996 and would, had it been initiated on or after that date have fallen to be disposed of by a tribunal established by regulation 2, shall be transferred on 1st April 1996 to, and disposed of by, that tribunal (“the new tribunal”).

(2) On and after 1st April 1996—

- (a) the relevant statutory provisions shall apply as if anything done in relation to the appeal by or in relation to the old tribunal from which it is transferred or the clerk, the president or a chairman of that old tribunal, had been done by or in relation to the new tribunal, or as the case may be, the clerk, the president or a chairman of that new tribunal, and
- (b) any reference (however framed) to a clerk, president or a chairman of an old tribunal in the relevant statutory provisions or instruments made under them shall, so far as is required for giving effect to this regulation, be construed as a reference to the clerk, or, as the case may be, the president or a chairman of the new tribunal.

(3) In this regulation “the relevant statutory provisions” means—

- (a) in relation to appeals under section 23 of the 1988 Act or under section 16 of, or paragraph 3(1) of Schedule 3 to, the 1992 Act, these Regulations;
- (b) in relation to appeals under the Council Tax (Alteration of Lists and Appeals) Regulations 1993<sup>(1)</sup>, those Regulations;
- (c) in relation to appeals under Schedule 4A to the 1988 Act<sup>(2)</sup> (completion notices), under the Non-Domestic Rating (Alteration of Lists and Appeals) Regulations 1990 (“the 1990 Regulations”)<sup>(3)</sup> or under regulation 36 of the Non-Domestic Rating (Chargeable Amounts) Regulations 1994<sup>(4)</sup>, the 1990 Regulations;
- (d) in relation to appeals under section 2(5B) and paragraph 11(2) of Schedule 1 to the Rating (Disabled Persons) Act 1978<sup>(5)</sup>, that Act;
- (e) in relation to appeals under section 78 of the Land Drainage Act 1976<sup>(6)</sup> or section 45 of the Land Drainage Act 1991, the Act of 1976 or, as the case may be, the Act of 1991;

---

(1) S.I. 1993/290, as amended by S.I. 1994/1746.

(2) Schedule 4A is inserted by paragraph 36 of Schedule 5 to the Local Government and Housing Act 1989 (c. 42).

(3) S.I. 1990/582, as amended by S.I. 1990/769 and 1882, 1991/1 and 471 and 1993/291.

(4) S.I. 1994/3279.

(5) 1978 c. 40. Section 2(5B) and paragraph 11(2) of Schedule 1 to the 1978 Act were repealed by the Local Government Finance (Repeals, Savings and Consequential Amendments) Order 1990 (S.I. 1990/776) subject to savings for certain purposes relating to rates and precepts in relation to a period ending before 1st April 1990.

(6) 1976 c. 70. Section 78(5)(a) and (b) and part of section 78(6) were substituted by the Valuation and Community Charge Tribunals (Transfer of Jurisdiction) Regulations 1989 (S.I. 1989/440). Section 78 was repealed by section 3(1) and Schedule 3

- (f) in relation to appeals under the General Rate Act 1967(7), that Act; and
- (g) in relation to appeals under the Mixed Hereditaments (Certificate) Regulations 1967(8), those Regulations.

### **Winding up and initial membership**

14.—(1) The old tribunals shall cease to exist on 1st April 1996.

(2) Notwithstanding regulation 6 of the Valuation and Community Charge Tribunals Regulations 1989(9), the members of the old tribunals on 31st March 1996 shall cease to hold office as such at the end of that day.

(3) Of the initial appointments—

- (a) one third shall be appointed for a period of 2 years;
- (b) one third shall be appointed for a period of 4 years; and
- (c) the remainder shall be appointed for a period of 6 years.

(4) In considering their initial appointments an appointing council shall have regard to the desirability of appointing persons who, the council consider, possess knowledge, experience and expertise gained as a member of an old tribunal.

---

to the Water Consolidation (Consequential Provisions) Act 1991 (c. 60) subject to savings as to the making of drainage rates in respect of financial years beginning before 1993. Section 45(5) and (6) of the Land Drainage Act 1991 (c. 59) contains the provisions formerly in section 78(5) and (6) of the 1976 Act and relates to appeals against determination in relation to financial years beginning in or after 1993.

- (7) 1967 c. 9. Such appeals were transferred, and the 1967 Act was amended by the Valuation and Community Charge Tribunals (Transfer of Jurisdiction) Regulations 1989 (S.I. 1989/440).
- (8) S.I. 1967/637 as amended by S.I. 1989/440.
- (9) S.I. 1989/439 to which there are amendments not relevant to this regulation.