
WELSH STATUTORY INSTRUMENTS

2005 No. 3364

The Valuation Tribunals (Wales) Regulations 2005

PART II

**Establishment of the Valuation Tribunal Service for
Wales, its Governing Council and the Valuation Tribunals.**

Appointment of Valuation Tribunal Members

12.—(1) The members of a Valuation Tribunal established by regulation 11, subject to the following paragraphs of this regulation, will consist of;

- (a) those appointed by the councils prescribed in relation to that Valuation Tribunal in column 4 of Schedule 1 (“the councils”) and the President jointly, and
- (b) those appointed by the National Assembly for Wales, after consultation with the President of the Valuation Tribunal.

(2) The maximum number of members that can be appointed by the councils and the President is the number specified in relation to that Valuation Tribunal in column 3 of Schedule 1 and the maximum number of members that can be appointed by a council and the President is the number specified in relation to that council in column 5 of Schedule 1.

(3) The minimum number of members that must be appointed by the councils and the President is two-thirds of the number specified in relation to that Valuation Tribunal in column 3 of Schedule 1 and the minimum number of members that must be appointed by a council and the President is two-thirds of the number specified in relation to that council in column 5 of Schedule 1.

(4) Subject to regulation 13(2), on 3 January 2006, all members of an old Tribunal appointed by a Council and the President of that old Tribunal will be appointed a member of the Valuation Tribunal for the area previously covered by that old Tribunal.

(5) For the purposes of this regulation, appointments made under paragraph (4) will be regarded as if made by the council which appointed the member to the old Tribunal and the President.

(6) The National Assembly for Wales may appoint members to each of the Valuation Tribunals named in column 2 of Schedule 1.

(7) On 3 January 2006, all members of an old Tribunal appointed by the National Assembly for Wales will be appointed a member of the Valuation Tribunal for the area previously covered by that old Tribunal.

(8) Where at the expiry of three months from a vacancy occurring in a Valuation Tribunal, a council and the President of the Valuation Tribunal have failed to make an appointment in accordance with paragraph (1), that appointment may be made by the National Assembly for Wales after consultation with the President of the Valuation Tribunal.

(9) No appointment under paragraph (1) will be valid if its effect would be that the number of members of the Valuation Tribunal, appointed by that council and the President, who are members of the council exceed one third of the total number of members of the Valuation Tribunal appointed by that council and the President.

(10) Paragraph (9) must not be construed as affecting the validity of the appointment of a member of a Valuation Tribunal who becomes a member of a council after that person's appointment takes effect.

(11) Paragraph (9) must not be construed as affecting the validity of the appointment of a member of a Valuation Tribunal who was, and remains, a member of a council if, at the time that person's appointment took effect, the number of members of the Valuation Tribunal, appointed by that council and the President, who were members of the council did not exceed one third of the total number of members of the Valuation Tribunal appointed by that council and the President.

(12) If the number of members of a Valuation Tribunal, appointed by a council and the President, who are members of that council exceed one third of the total number of members of the Valuation Tribunal, appointed by that council and the President, that council and the President must within six months jointly make such appointments as necessary under paragraph (1)(a) to enable that council and the President's appointments under paragraph (1)(a) to comply with paragraph (9) of this regulation.

(13) Where at the expiry of three months a council and the President having failed to make such appointments as are necessary in accordance with paragraphs (1)(a) and (12), those appointments may be made by the National Assembly for Wales after consultation with the President of that Valuation Tribunal.