
WELSH STATUTORY INSTRUMENTS

2013 No. 547

**The Valuation Tribunal for Wales
(Wales) (Amendment) Regulations 2013**

Amendment of Regulations

- 2.—(1) The Valuation Tribunal for Wales Regulations 2010⁽¹⁾ are amended as follows.
- (2) In regulation 9 (appointment of valuation tribunal members)—
- (a) for paragraph (2) substitute—
- “(2) The minimum number of members that must be appointed by a council and the President is the number specified in relation to that council in column 4 of Schedule 1.”;
- (b) after paragraph (2) insert—
- “(2A) The maximum number of members that may be appointed by a council and the President is the number specified in relation to that council in column 5 of Schedule 1.”;
- (c) for paragraph (3) substitute—
- “(3) For the purpose of this regulation, a vacancy only occurs when the number of members appointed by a council and the President—
- (a) falls below the number specified in relation to that council in column 4 of Schedule 1; or
- (b) falls below the number of members specified in relation to that council in column 5 of Schedule 1 and falls below the number required, in the view of the President, to carry out the Tribunal’s functions.”;
- (d) in paragraph (5) for “5” substitute “6”.
- (3) In regulation 27 (interpretation) after the definition of “clerk” insert—
- ““council tax reduction scheme” (*“cynllun gostyngiadau'r dreth gyngor”*) means a scheme made by a billing authority in accordance with the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012⁽²⁾ or the scheme that applies in default by virtue of paragraph 6(1)(e) of Schedule 1B to the 1992 Act”.
- (4) In regulation 30 (initiating an appeal)—
- (a) at the end of subparagraph (2)(b) omit “and”;
- (b) at the end of subparagraph (2)(c) for “.” substitute “; and”;
- (c) after subparagraph (2)(c) insert—
- “(d) where the appellant has also made an appeal to the First-tier Tribunal in accordance with the Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001⁽³⁾ and the appeal raises common issues of fact with the appeal made under section 16 of the 1992 Act, a copy of the notice provided in

(1) S.I. 2010/713 (W. 69).
(2) S.I. 2012/3144 (W. 316).
(3) S.I. 2001/1002.

accordance with regulation 20(1) of those Regulations and any other information required to be provided under regulation 20 of those Regulations.

(2A) A notice of appeal given under paragraph (2) must be accompanied by a copy of any written notification provided by the billing authority in accordance with section 16(7) (a) or (b).”.

(5) After regulation 32 (withdrawal) insert—

“Striking out proceedings

32A.—(1) The Valuation Tribunal may strike out an appeal or part of an appeal where—

- (a) the appeal, or part of the appeal, relates to a billing authority’s decision to award a reduction under its council tax reduction scheme; and
- (b) the reduction awarded is the maximum reduction that the billing authority may have awarded under its scheme.

(2) Where only part of an appeal falls within paragraph (1), the Valuation Tribunal may only strike out that part of the appeal.

(3) The Valuation Tribunal may not strike out an appeal, or part of an appeal, without first giving the appellant an opportunity to make representations in relation to the proposed striking out.”.

(6) In regulation 37 (conduct of the hearing — appeal panels)—

(a) for paragraph (3) substitute—

“ (3) The hearing must take place in public unless the Appeal Panel otherwise orders on being satisfied that it is in the interests of justice to hold a hearing, or part of a hearing, in private.”;

(b) after paragraph (3) insert—

“(3A) Where the hearing is to be held in private, the Appeal Panel may determine who is permitted to attend the hearing or part of the hearing.”.

(7) In regulation 38(1) (evidence: general) after “1992 Act” insert “or section 131 of the Welfare Reform Act 2012”(4).

(8) In the title to column 4 of Schedule 1 for “Number” substitute “Minimum number”.

(9) For column 5 in Schedule 1 substitute—

“5 Maximum number of members to be appointed by each council	6 Maximum number of members who are members of the council
8	3
13	5
7	3
10	4
14	5
8	3
10	4

(4) 2012 c. 5.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“5 Maximum number of members to be appointed by each council	6 Maximum number of members who are members of the council
7	3
10	4
10	4
10	4
10	4
10	4
19	7
7	3
16	6
10	4
7	3
13	5
11	4
10	4
16	6”.
