STATUTORY INSTRUMENTS

1970 No. 495

LAND COMMISSION

The Betterment Levy (Exemption in Case C) Order 1970

Laid before the House of Commons in draft

Made - - -	23*rd March* 1970
Coming into Operation	1*st April* 1970

The Minister of Housing and Local Government and the Secretary of State, acting jointly, in exercise of the powers conferred on them by sections 63(1) and 98 of the Land Commission Act 1967**(a)**, and of all other powers enabling them in that behalf, hereby order as follows:—

Citation, extent, and commencement

1. This order, which may be cited as the Betterment Levy (Exemption in Case C) Order 1970, applies to Great Britain and shall come into operation on 1st April 1970.

Interpretation

2.—(1) In this order the following expressions have the meanings hereby assigned to them respectively, that is to say:—

"the Act" means the Land Commission Act 1967;

"the Commission" means the Land Commission;

"planning permission subject to the agricultural condition" means a planning permission subject to a condition in whatever form whereby the house or houses authorised to be erected by that permission are to be occupied only by (or by persons connected with) persons employed or last employed in agriculture or in forestry.

(2) The Interpretation Act 1889**(b)** applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

Exemption in Case C

3.—(1) Where, on or after the date upon which this Order comes into operation, a project of material development to which this order applies is begun, no levy in Case C shall be charged in respect of any assessable interest in the relevant land, or any part of that land.

(2) This order applies where the project consists of the erection of:—

(i) one or more houses (authorised to be erected by planning permission subject to the agricultural condition) of which the occupation and user will in the opinion of the Commission fall within the provisions of section 26(2) of the General Rate Act 1967**(c)**; or

(ii) as respects Scotland, one or more dwellinghouses (so authorised) of which the occupation, use and suitability will in the opinion of the Commission fall within the provisions of section 7(4) of the Valuation and Rating (Scotland) Act 1956**(d)**.

(a) 1967 c. 1.
(b) 1889 c. 63.
(c) 1967 c. 9.
(d) 1956 c. 60.

Given under the official seal of the Minister of Housing and Local Government on 23rd March 1970.

(L.S.) *Anthony Greenwood.*

Minister of Housing and Local Government.

Given under the seal of the Secretary of State for Scotland on 23rd March 1970.

(L.S.) *William Ross,*

Secretary of State for Scotland.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This order, which comes into operation on 1st April 1970, exempts from liability for betterment levy projects of material development consisting of the erection of a house (or houses) if two conditions are fulfilled. These conditions are:—

(*a*) that its erection is authorised by a planning permission containing a condition whereby it is to be occupied only by persons employed or last employed in agriculture or forestry or by persons connected with them,

(*b*) that in the opinion of the Commission it will satisfy the relevant enactment rendering it eligible for agriculture rating relief.

This order applies to Great Britain.

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