LANDLORD AND TENANT

LANDLORD AND TENANT ACTS, 1927 and 1924 (ENGLAND AND WALES)

1954 No. 1255

The Landlord and Tenant (Determination of Rateable Value Procedure) Rules, 1954

Made - - - - 24*th September*, 1954
Coming into Operation 1*st October*, 1954

The Commissioners of Inland Revenue in exercise of the powers conferred upon them by Section 37 (6) of the Landlord and Tenant Act, 1954(a), hereby make the following Rules:—

1. These Rules may be cited as the Landlord and Tenant (Determination of Rateable Value Procedure) Rules, 1954, and shall come into operation on the first day of October, 1954.

2.—(1) In these Rules—

"The Commissioners" means the Commissioners of Inland Revenue;

"The Act" means the Landlord and Tenant Act, 1954, and other expressions have the same meaning as in that Act.

(2) The Interpretation Act, 1889(b), shall apply to these Rules as it applies to an Act of Parliament.

3.—(1) Any reference to the Commissioners of a dispute arising as to the determination of the rateable value of any holding for the purposes of Sections 37 (2) and 63 (2) of the Act, shall be in the form "A" in the Schedule hereto, or in a form substantially to the like effect. A separate form shall be completed in respect of each holding.

(2) The said reference may be made either:—

(*a*) by one of the parties, or

(*b*) jointly by two or more of the parties to the dispute:

Provided that, where the said reference is not made by all the parties jointly, the party or parties making the reference shall, on the same day as the reference is made, send a copy thereof to the other party, or parties, to the dispute.

4. The Commissioners shall, so soon as may be after the receipt of a reference, send a copy thereof to the Valuation Officer.

5. The Valuation Officer shall, upon receipt of the copy of the reference, inform the parties that the dispute has been referred to him for determination and that they may make representations to him on the matter in writing within twenty-eight days, or such longer time as he may in a particular case allow.

6. The Valuation Officer may require the parties to furnish him with such information as he may reasonably require for the proper determination of the rateable value of the holding.

(a) 2 & 3 Eliz. 2. c. 56. (b) 52 & 53 Vict. c. 63.

7. The Valuation Officer may, before making his determination, invite all the parties to a meeting at his office or at such other place as he may think convenient.

8. The Valuation Officer shall so soon as may be determine the rateable value of the holding and shall send a notification of his determination to the Commissioners and to each of the parties together with a statement of their right of appeal to the Lands Tribunal under Section 37 (5) of the Act. The notification of such determination shall be in the form "B" in the Schedule hereto, and a separate notification shall be sent in respect of each holding.

By Order of the Commissioners of Inland Revenue.

J. H. Evans,
Secretary.

24th September, 1954.

SCHEDULE

FORM "A"

Landlord and Tenant Act, 1954

Reference of a dispute arising as to the determination of the Rateable Value of any holding for the purposes of Section 37 (2) *or of Section* 63 (2).

To:—The Commissioners of Inland Revenue,
Somerset House,
London, W.C.2.

PART I (*Applicable to all references*).

*I / We being *a party / parties to a dispute which has arisen as to the determination for the purposes of Section *[37 (2) / 63 (2)] of the rateable value of a holding known as†

.....

.....

.....

hereby refer the dispute for decision by a Valuation Officer.

* Delete as appropriate.

† Insert here address or situation, and such further particulars as may be necessary for the identification of the holding.

‡ See headnote to Part II of form.

	‡(1)	‡(2)	‡(3)
Signed	.....	.....	.....
Capacity in which reference made (e.g. Tenant, Landlord, etc.)	.....	.....	.....
Address	.....	.....	.....
	.....	.....	.....
	.....	.....	.....
Date	.....	.....	.....

PART II (*Applicable where the reference is not made by all the parties to the dispute*).

Note.—Where the reference is not made by all the parties, the party or parties making the reference should sign and complete the form in Part 1 above, and should give below the name or names of the other party or parties to the dispute, and should send a copy of this form, as completed, to the other party or parties.

Name(s) and address(es) of other party(ies)

	(A)	(B)
Name	.....	.....
Address	.....	.....
	.....	.....
	.....	.....

FORM "B"

Landlord and Tenant Act, 1954

Determination of Rateable Value

Whereas a dispute has arisen as to the determination for the purposes of Section *[37 (2) / 63 (2)] of the rateable value of the holding described in the first column of the Schedule hereto.

* Delete as appropriate.

Now I the undersigned being the Valuation Officer to whom the Commissioners of Inland Revenue have pursuant to Section 37 (5) referred the dispute for determination hereby determine that for the said purposes the rateable value of the said holding shall be the amount set out in the second column of the said Schedule.

THE SCHEDULE above referred to

†Description of Holding	Rateable Value as Determined

† The description will follow that in "A".

Dated this.....day of....., 19.....

Signed.....

Valuation Officer

for.....

Official Address.....

.....

.....

To:—The Commissioners of Inland Revenue

and to:—[The Parties to the Dispute]

.....

.....

.....

Any party who is dissatisfied with the foregoing determination may appeal to the Lands Tribunal by giving written notice of such appeal to the Registrar of the Lands Tribunal within 21 days from the date hereof.

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

Under the Landlord and Tenant Act, 1954, it may be necessary to determine the rateable value of a tenant's holding either for the purpose of determining the amount of compensation payable in certain circumstances to a tenant of business premises or for the purpose of ascertaining which Court shall have jurisdiction in certain disputes. These Rules set out the procedure to be followed where, in accordance with Section 37 (5) of the Act, a dispute about the rateable value of the holding is referred to the Commissioners of Inland Revenue.

1954 No. 1107

The Landlord and Tenant (Notices) Regulations, 1954

Made - - - -	19*th August*, 1954
Laid before Parliament	26*th August*, 1954
Coming into Operation	27*th August*, 1954

I, Gavin Turnbull, Baron Simonds, Lord High Chancellor of Great Britain, in exercise of the powers conferred on me by section 66 of the Landlord and Tenant Act, 1954(a), hereby make the following Regulations:—

1. These Regulations may be cited as the Landlord and Tenant (Notices) Regulations, 1954, and shall come into operation on the 27th day of August, 1954.

2. The Interpretation Act, 1889(b), applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

3. In these Regulations, unless the context otherwise requires,—

(*a*) "The Act" means the Landlord and Tenant Act, 1954.

(*b*) A form referred to by number means the form so numbered in the Appendix to these Regulations.

4. The forms in the Appendix to these Regulations, or forms substantially to the like effect, shall be used for the following purposes, that is to say:—

(i) A landlord's notice proposing a statutory tenancy given under the provisions of section 4 of the Act shall be in Form 1;

(ii) A landlord's notice to resume possession given under the provisions of section 4 of the Act shall be in Form 2;

(iii) A notice under the provisions of section 18 of the Act, being a notice requiring a tenant or sub-tenant of residential property to give information about sub-tenancies, shall be in Form 3;

(iv) A notice under the provisions of paragraph 8 of the First Schedule to the Act, being a notice requiring a tenant to pay instalments of his payment for accrued tenant's repairs to his immediate landlord for transmission to the person who is the landlord for the purposes of the Act, shall be in Form 4.

(v) A notice served by a landlord under the provisions of paragraph 5 of the Fifth Schedule to the Act on another landlord, being a notice requiring that other landlord to consent to the giving of a landlord's notice proposing a statutory tenancy or of a landlord's notice to resume possession, shall be in Form 5.

(a) 2 & 3 Eliz. 2. c. 56. (b) 52 & 53 Vict. c. 63.