## 3. DISSOLVED AUTHORITIES

# The Rating and Valuation (Dissolved Authorities) Regulations, 1949

## 1949 No. 2310

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| *Made* - - - - | 13*th December*, 1949 |
| *Laid before Parliament* | 14*th December*, 1949 |
| *Coming into Operation* | 16*th December*, 1949 |

M.H.109950

The Minister of Health in exercise of the powers conferred upon him by section 71 of the Local Government Act, 1948(**a**), and of all other powers enabling him in that behalf hereby makes the following regulations :—

**1.** These regulations may be cited as the Rating and Valuation (Dissolved Authorities) Regulations, 1949, and shall come into operation on the sixteenth day of December, 1949.

**2.**—(1) In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them :—

" the Act " means the Local Government Act, 1948 ;

" the appointed day " means the first day of February, 1950 ;

" appropriate rating authority " means—

(*a*) in relation to an assessment committee which acts for only one rating area, the rating authority for that area, and in relation to an assessment committee which acts for more than one rating area, such one of the rating authorities concerned as may be agreed between them, or, in default of agreement as may be determined by the Minister, and

(*b*) in relation to an assessment committee which has been dissolved in pursuance of the Act, the authority which immediately before the appointed day was the appropriate rating authority in relation thereto ;

" the Minister " means the Minister of Health.

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

*Rating Authorities*

**3.**—(1) Every rating authority shall, on the appointed day, or as soon thereafter as may be, transfer to the valuation officer authorised to act in relation to the valuation list for their area all records, valuation and survey sheets, maps, plans and other documents (other than the current valuation

(a) 11 & 12 Geo. 6. c. 26. (b) 52 & 53 Vict. c. 63.

list for the said area) held by them and used at any time before the appointed day solely or mainly for the purpose, or in the exercise, of their functions in relation to the preparation and alteration of valuation lists made in or after 1934.

(2) Any dispute arising under this regulation shall be determined by the Minister whose decision shall be final.

*Assessment Committees*

**4.** It shall be the duty of every assessment committee to cause such corrections to be made in the copy of any valuation list retained by them in pursuance of rule 10 of the Rating and Valuation Acts (Form of Valuation List) Rules, 1932(a), as will ensure that such copy will on the appointed day agree with the valuation list except in regard to figures recorded by the committee in a record of total rateable values.

**5.** Every assessment committee shall before the appointed day liquidate as far as possible all its current debts and liabilities.

**6.**—(1) The accounts of every assessment committee shall be made up to the appointed day.

(2) The appropriate rating authority shall be responsible after the appointed day for the performance of such duties in relation to the making up and the audit of the said accounts as would, if the assessment committee had continued in existence after that day, have been performed by that committee or the appropriate officer or officers thereof.

(3) Any expenses properly incurred by the appropriate rating authority in pursuance of this regulation shall be paid by that authority and shall be chargeable to the fund established by them in pursuance of regulation 10.

**7.** Any interest in land held immediately before the appointed day by an assessment committee, or by any member or officer thereof on behalf of or for the benefit of the committee, and any beneficial interest of any such committee in land otherwise held on their behalf or for their benefit immediately before the said day shall on that day, by virtue of these regulations, be transferred to and vest in the appropriate rating authority for the purposes of Part III of the Act:

Provided that if before the appointed day the Minister notifies the appropriate rating authority that any such interest is to pass to any other authority or person specified in the notice, such interest shall be transferred to and vest in that authority or person in lieu of the said authority, as aforesaid.

**8.** Any moneys in the possession of an assessment committee or held on their behalf by any person shall, on the appointed day, become the property of the appropriate rating authority by virtue of these regulations.

**9.**—(1) Subject as hereinafter provided in this regulation any property of a kind mentioned in column 1 of the Table hereunder which immediately before the appointed day belongs to an assessment committee shall, on that day, by virtue of these regulations, be transferred to and become the property of the person or authority mentioned in the corresponding entry in column 2 of the said Table and all other property so belonging to an assessment committee shall, subject to the provisions of these regulations, be transferred in the like manner and with the like effect to the appropriate rating authority.

(a) S.R. & O. 1932 (No. 395) p. 1733.

TABLE

| *Column 1* | *Column 2* |
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| 1. Minute books, valuation and survey sheets, copies or duplicates of valuation lists, lists of totals, returns, notices of proposals and objections, records and other documents used in connection with the revision of any valuation list. | The Commissioners of Inland Revenue. |
| 2. Text books, books of reference and other publications used by the committee in connection with the exercise of their functions, stationery, office machinery and equipment and stocks of forms. | The appropriate rating authority. |
| 3. Books of account and other books and documents relating to the financial affairs of the committee. | The appropriate rating authority. |
| 4. Furniture, furnishings, fixtures and fittings. | The appropriate rating authority. |

Provided that if before the appointed day the Minister notifies the appropriate rating authority that any property specified in the notice, being property of a kind mentioned in the entry numbered 2 in the foregoing Table, is to pass to the Controller of His Majesty's Stationery Office, or that any property so specified, being property of a kind mentioned in the entry numbered 4 in the said Table, is to pass to a person or authority specified in the notice, such property shall be transferred to and become the property as aforesaid of the said Controller or of the person or authority so specified as the case may be.

(2) Any dispute as to the person or authority to whom any property is transferred by virtue of this regulation shall be determined by the Minister whose decision shall be final.

**10.**—(1) A fund (hereinafter referred to as "the fund") shall be established and operated in relation to each dissolved assessment committee by the appropriate rating authority and there shall be paid into each such fund in respect of property which immediately before the appointed day belonged to the committee in relation to which the fund is established—

(*a*) by any authority or person to whom any interest is transferred by virtue of regulation 7, such sums as are certified by an officer of the Valuation Office of the Inland Revenue Department appointed by the Commissioners of Inland Revenue for the purpose to be the amount of compensation which in his opinion would have been payable had that interest been acquired compulsorily by the said authority or person in pursuance of a power conferred by an Act of Parliament compulsorily to acquire it;

(*b*) by the appropriate rating authority, any moneys of which they become possessed by virtue of regulation 8;

(*c*) by the person or authority to whom any property of a kind mentioned in the entries numbered 2 or 4 in the Table in paragraph (1) of

regulation 9 or any residual property is transferred by virtue of that regulation, such sums—

(i) in the case of a person or authority specified in a notice, as may be agreed between that person or authority and the appropriate rating authority, or as, in default of agreement, may be determined by the Minister, and

(ii) in the case of the appropriate rating authority, as may be determined by that authority or, upon application made to him in that behalf by any interested body or person, by the Minister,

to represent the value of such property.

(2) All liabilities of an assessment committee shall on the appointed day be transferred and attach to the appropriate rating authority and shall be met by them out of the fund.

(3) Any amount whereby the fund shall fall short of the requirements imposed upon it by these regulations shall be made good by, and any amount whereby the fund shall exceed such requirements shall be distributed among, the rating authorities upon which the expenses of the assessment committee were chargeable and in the like proportions as those in which the said authorities contributed thereto.

*County Valuation Committees*

**11.**—(1) Every county council shall, as soon as may be after the appointed day, transfer to an officer authorised by the Commissioners of Inland Revenue to receive them on their behalf—

(*a*) all copies of valuation lists, all records, maps, plans, valuation and survey sheets and other documents which immediately before the appointed day were in the possession or under the control of the county valuation committee of that council, and used solely or mainly in relation to the business of that committee, and

(*b*) all such text books, books of reference and other publications in such possession or under such control and used as aforesaid as the said Commissioners may require.

(2) The Controller of His Majesty's Stationery Office shall pay to the council concerned on behalf of the said Commissioners such sum as may be agreed between him and the council or, in default of such agreement, as may be determined by the Minister, in respect of any property transferred to the said Commissioners in pursuance of a requisition made by them under sub-paragraph (*b*) of the foregoing paragraph.

*Central Valuation Committee*

**12.** The Central Valuation Committee shall before the appointed day liquidate as far as possible all its current debts and liabilities.

**13.**—(1) The accounts of the Central Valuation Committee shall be made up to the appointed day.

(2) The Minister shall be responsible for the performance of such duties in relation to the making up and the audit of the said accounts as would, if the said Committee had continued in existence after the appointed day, have been performed by that Committee or the appropriate officer or officers thereof.

(3) Any expenses properly incurred by the Minister in pursuance of this regulation shall be treated as if they had constituted a liability of the said Committee immediately before the appointed day.

**14.**—(1) All property and liabilities of the Central Valuation Committee shall, on the appointed day, by virtue of these regulations be transferred to and vest in or attach to the Minister.

(2) The said liabilities shall be discharged by the Minister and if the value of the property vested in the Minister by virtue of this regulation, as determined by an officer of the Valuation Office of the Inland Revenue Department appointed by the Commissioners of Inland Revenue for the purpose, exceeds or falls short of the said liabilities—

(*a*) any surplus—

(i) if it does not exceed £500, shall be added by the Minister to, and disposed of by him in the same manner as, the sums paid to him in accordance with section 100 of the Act, in whichever of the years 1949-50 and 1950-51 he thinks fit, and

(ii) if it exceeds £500 shall be distributed by the Minister among the local authorities which contributed to the expenses of the Central Valuation Committee for the year 1948-49 in the like proportions as those in which the said authorities so contributed;

(*b*) the amount of any deficit shall be paid to the Minister by the said local authorities in the aforesaid proportions.

Given under the official seal of the Minister of Health this thirteenth day of December, nineteen hundred and forty-nine.

(L.S.)

*Aneurin Bevan,*
Minister of Health.

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## EXPLANATORY NOTE

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

The Regulations provide for the winding up of assessment committees, county valuation committees and the central valuation committee, all of which by virtue of section 33 of the Local Government Act, 1948, cease to exist on the 1st February, 1950. Provision is made for the vesting of the property and liabilities of those bodies in the appropriate authorities. The Regulations also require rating authorities to transfer to valuation officers all documents relevant to the preparation and alteration of valuation lists.