

Subordinate legislation – to explain the content and purpose of the draft Valuation Tribunals (Amendment) (Wales) Regulations 2004

Purpose

1. To inform the Committee of the content and purpose of the attached draft Regulations. The Committee identified these regulations for consideration when they met on 22 October 2003.

Summary

2. These draft regulations make provision for the removal of the upper age limit for members of Valuation Tribunals (VTs) in Wales which currently stands at 72.

Background

3. The Valuation Tribunals (VTs) were initially established following the Local Government Act 1949. Their role is to hear appeals relating to valuations for non-domestic rating and council tax purposes.

4. There are four VTs in Wales and each tribunal has a Clerk who advises members on points of law. The VTs in Wales are an Assembly Sponsored Public Body (ASPB) sponsored by Local Government Finance Division (LGFD). The VTs consist of members of the public who sit in a voluntary capacity. They do not receive monetary payments but are reimbursed for their travel and subsistence costs.

5. The appointment of members to the VTs is governed by the provisions in the Valuation Tribunals (Wales) Regulations 1995 (the 1995 Regulations) and the Valuation Tribunals (Amendment) (Wales) Regulations 2001 (the 2001 Regulations).

6. Regulation 4(2) of the 1995 Regulations stipulates the five conditions under which a person's term of office expires. Regulation 7(1) of the 1995 Regulations details the six conditions under which a person becomes disqualified from membership of a VT. The effect of these Regulations is that a person shall cease to be a member of a VT once they attain the age of 72.

Consideration

7. The VTs in Wales wrote to Local Government Finance Division on 8th July 2003 requesting that the age limit for members be removed. In recent years the VTs in Wales have experienced difficulty in recruiting members, and it is hoped that the ability to retain experienced members beyond the age of 72 will help prevent any detrimental effect on the service in Wales.

Financial Implications

8. Work associated with the publication of the draft regulations will be accommodated within existing administration costs budgets. There are no additional financial implications for the Assembly as a result of this submission. Nor are there any additional costs to the VTs in Wales or local authorities in making appointments.

Cross Cutting Themes

9. This will remove an age discriminatory measure and will ensure compliance with age discrimination legislation anticipated for 2006.

Action for Subject Committee

10. The Committee is invited to note the contents of this paper and the related draft regulations.

Sue Essex AM

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