
WELSH STATUTORY INSTRUMENTS

2000 No. 2041 (W. 147)

RATING AND VALUATION, WALES

**The Non-Domestic Rating (Chargeable Amounts)
(Amendment) (Wales) Regulations 2000**

Made - - - - *19th July 2000*
Coming into force - - *1st August 2000*

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on the Secretary of State by sections 58 and 143(1) and (2) of the Local Government Finance Act 1988(1) which are now vested in it so far as exercisable in Wales(2)

Citation, commencement and application

1.—(1) These Regulations may be cited as the Non-Domestic Rating (Chargeable Amounts) (Amendment) (Wales) Regulations 2000, and shall come into force on 1 August 2000.

(2) These Regulations apply to Wales only.

Interpretation

2. In these Regulations; “the principal Regulations” means the Non-Domestic Rating (Chargeable Amounts) (Wales) Regulations 1999(3)

Amendments to the principal Regulations

3.—(1) The principal Regulations shall be amended in accordance with the following paragraphs.

(2) In Regulation 2(1), after the definition of “the Act”, insert —

““the 1993 Regulations” means the Non-Domestic Rating (Alteration of Lists and Appeals) Regulations 1993;(4)

(3) In Regulation 3(1), for “and 1st April 2002”, substitute —

“, 1st April 2002, 1st April 2003 and 1st April 2004.”.

(1) 1988 c. 41. Section 143(2) is amended by paragraph 72(2) of Schedule 5 to the Local Government and Housing Act 1989 (c. 42). Paragraph 3(2) of Schedule 6 is amended by paragraph 38(13) of Schedule 5 to the 1989 Act.
(2) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).
(3) S.I. 1999/3454 (W.51).
(4) S.I. 1993/291 is amended by the Non-Domestic Rating (Alteration of Lists and Appeals) (Amendment)(Wales) Regulations 2000 (S.I. 2000/792 (W.29)).

- (4) In Regulation 8, after paragraph (4), insert —
- “(5) In the relevant years commencing on 1st April 2003 and 1st April 2004 the chargeable amount shall be calculated in accordance with the provisions of Part III of the Act.”.
- (5) In Regulation 10 after paragraph (3), insert —
- “(4) If the sum produced by applying the formula set out in paragraphs (2) and (3) is less than that which would be produced by calculating the chargeable amount for a relevant class for that hereditament in accordance with the provisions of Part III of the Act, the chargeable amount for a relevant day for that hereditament shall be the amount calculated in accordance with Part III of the Act.
- (5) In the relevant years commencing on 1st April 2003 and 1st April 2004 the chargeable amount shall be calculated in accordance with the provisions of Part III of the Act.”.
- (6) After Regulation 10, insert —
- “**10A.** Regulation 10B applies to a defined hereditament if the condition in Regulation 9 is satisfied and sections 43(5), 43(6A) or 45 of the Act do not apply as at 31st March 2000.
- 10B.**—(1) Where the ratepayer is a charity or trustees for a charity and the defined hereditament is wholly or mainly used for charitable purposes, the chargeable amount shall be found by dividing the amount calculated in accordance with regulation 10 by 5.
- (2) Where section 43(6B) of the Act (general stores etc. in rural settlements) applies in respect of the defined hereditament, the chargeable amount shall be found by dividing the amount calculated in accordance with regulation 10 by 2.
- (3) Where the conditions in section 45(1) of the Act (unoccupied property) are fulfilled in respect of the defined hereditament, the chargeable amount shall be found by dividing the amount calculated in accordance with regulation 10 by 2 or, in the case where section 45(6) of the Act (unoccupied hereditaments of charities) applies, by 10.”.
- (7) In Regulation 12(2) for “2001” substitute —“2005”.
- (8) After Regulation 12, insert —
- “**13.** Where an alteration is made to the rateable value shown in a list on 1 April 2000 and that alteration has effect from a later date, in accordance with the provisions of Regulation 13A(2) of the 1993 Regulations, then the provisions of Regulation 11(1) apply.”(5)).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(6)

19th July 2000

D Elis Thomas
The Presiding Officer of the National Assembly

(5) Regulation 13A was inserted by the [Non-Domestic Rating \(Alteration of Lists and Appeals\) \(Amendment\)\(Wales\) Regulations 2000 \(S.I. 2000/ 792 \(W.29\)\)](#).

(6) 1998 c. 38.

EXPLANATORY NOTE

(This note does not form part of the Regulations.)

The Non-Domestic Rating (Chargeable Amounts) (Wales) Regulations 1999 (“the principal Regulations”) make provision, in relation to non-domestic rates under Part III of the Local Government Finance Act 1988, as to the chargeable amounts for which a ratepayer is liable in certain circumstances.

These Regulations extend the period to which the principal Regulations apply to include the financial years beginning 1st April 2003 and 1st April 2004 and specify the rules for determining the chargeable amount in those years

They also amend Regulation 10 of the principal Regulations so as to limit the amount by which the chargeable amount is reduced in certain circumstances.

The period for submission of appeals against certification under the principal Regulations is extended from 1st April 2001 to 1st April 2005.

The effective dates for determination of chargeable amounts in accordance with Regulations 8 and 10 of the principal Regulations are specified by reference to the Non-Domestic Rating (Alteration of Lists and Appeals)(Wales) Regulations 1993 where alterations are made pursuant to those Regulations to the rateable value shown in a list.