
WELSH STATUTORY INSTRUMENTS

2003 No. 1714 (W.182)

RATING AND VALUATION, WALES

**The Non-Domestic Rating (Collection and Enforcement)
(Local Lists) (Amendment) (Wales) Regulations 2003**

Made - - - - *8th July 2003*

Coming into force - - *10th July 2003*

The National Assembly for Wales makes the following Regulations in exercise of the powers given to the Secretary of State by sections 62, 143(1) and (2) and 146(6) of, and paragraphs 1 and 3 of Schedule 9 to, the Local Government Finance Act 1988(1), which are now vested in the National Assembly for Wales so far as exercisable in Wales(2):

Name and commencement

1. These Regulations are called the Non-Domestic Rating (Collection and Enforcement) (Local Lists) (Amendment) (Wales) Regulations 2003 and will come into force on 10th July 2003.

Application and Interpretation

2.—(1) These Regulations apply to Wales only.

(2) In these Regulations “the Principal Regulations” (y “*Prif Reoliadau*”) means the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989(3).

Amendment of Principal Regulations

3. The Principal Regulations are amended as follows —

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- (1) 1988 c. 41. Section 143(2) as amended by section 139 of and paragraphs 72 and 79(3) of Schedule 5 to the Local Government and Housing Act 1989 (c. 42). Paragraph 2 of Schedule 9 to the 1988 Act as amended by section 117 of and paragraph 87(1) of Schedule 13 to the Local Government Finance Act 1992 (c. 14) and sections 139 and 194(4) of and paragraphs 1, 44(2) to (4) and 79(3) of Schedule 5 and Part II of Schedule 12 to the Local Government and Housing Act 1989 (c. 42). Paragraphs 3 and 4 of Schedule 9 to the 1988 Act as amended by section 117(1) of and paragraphs 87(2) and (3) of Schedule 13 to the Local Government Finance Act 1992 (c. 14).
- (2) See article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).
- (3) S.I. 1989/1058. Regulation 13(1) of the 1989 Regulations has been amended by regulation 7(3) of The Non-Domestic Rating (Collection and Enforcement) (Miscellaneous Provisions) Regulations 1990 (S.I. 1990/145). Schedule 2 of the 1989 Regulations has been amended by Article 3 of and Part II of Schedule 2 to The Local Government Finance (Repeals, Savings and Consequential Amendments) Order 1993 (S.I. 1993/616) and regulation 3(2)(c) of The Community Charges and Non-Domestic Rating (Miscellaneous Provisions) Regulations 1992 (S.I. 1992/474). There are other amendments to the 1989 Regulations which are not relevant to these Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) in regulation 13(1) omit —
 - (i) “(in which case the order shall be in the form specified as Form A in Schedule 2, or a form to the like effect),”; and
 - (ii) “(in which case the order shall be in the form specified as Form B in that Schedule, or a form to the like effect)”;
- (b) in regulation 17(1) omit “, and shall be in the form specified as Form C in Schedule 2, or in a form to the like effect”; and
- (c) omit Schedule 2.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4).

8th July 2003

D.Elis-Thomas
The Presiding Officer of the National Assembly

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989 (as amended) (“the Regulations”) prescribe the powers by which local authorities may collect and recover non-domestic rates. In particular, regulations 13(1) and 17(1) of and Schedule 2 to the Regulations prescribe the forms of Liability Order and Warrant of Commitment which must be used by Magistrates' Courts following applications by local authorities to them for such orders or warrants.

The Lord Chancellor’s Department have recently conducted a review of the forms used in Magistrates' Courts and now wish to implement a new set of forms which are all to have a consistent style. As part of this process, it is necessary to de-prescribe the forms of Liability Order and of Warrant of Commitment mentioned above.

These Regulations remove the requirement that Magistrates' Courts must use the specified forms of Liability Order and Warrant of Commitment or forms to like effect in connection with the collection and recovery of non-domestic rates.