
STATUTORY INSTRUMENTS

1991 No. 959

RATING AND VALUATION

The Electricity Industry (Rateable Values) (Amendment) Order 1991

Approved by both Houses of Parliament

Made - - - - 28th March 1991

Coming into force - - 1st April 1991

The Secretary of State for the Environment as respects England and the Secretary of State for Wales as respects Wales, in exercise of the powers conferred on them by sections 140(4), 143(1) and 146(6) of and paragraph 3(1) and (2) of Schedule 6 to the Local Government Finance Act 1988⁽¹⁾, and of all other powers enabling them in that behalf, hereby make the following Order in terms of a draft laid before, and approved by resolution of, each House of Parliament:

Commencement and citation

1. This Order may be cited as the Electricity Industry (Rateable Values) (Amendment) Order 1991 and shall come into force on 1st April 1991.

Combined heat and power schemes and refuse—burning generators

2. Article 3(2) of the Electricity Generators (Rateable Values) Order 1989⁽²⁾ shall be amended—
- (a) by the substitution, in sub-paragraph (a)(ii), of the words from the beginning to “available”, of the words “its primary function is”; and
 - (b) by the insertion, in sub-paragraph (b)(ii), after the word “refuse,”, of the words “and neither paragraph (i) nor paragraph (ii) of sub-paragraph (a) applies,”.

Annual recalculation of rateable values

3. Article 13 of the Electricity Supply Industry (Rateable Values) Order 1989⁽³⁾ shall be amended—
- (a) in paragraph (1), by the insertion, after the word “capacity” in the definitions of “D” and “d” respectively, of the words “in England or, as the case may be, in Wales”; and

(1) 1988 c. 41. Paragraph 3 of Schedule 6 is amended by paragraph 38(12) to (14) of Schedule 5 to the Local Government and Housing Act 1989 (c. 42).
(2) S.I. 1989/2474. Article 3(2) is substituted by S.I. 1990/804.
(3) S.I. 1989/2475, amended by S.I. 1990/804, article 3.

Status: This is the original version (as it was originally made).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

(b) in paragraph (2), by the substitution for the definition of “total net capacity”, of the following:

““total net capacity”, in relation to a designated person and a country, means the total declared net capacity of all generating plant occupied by that person in that country;”.

Signed by authority of the Secretary of State for the Environment

28th March 1991

Blatch
Parliamentary Under Secretary of State,
Department of the Environment

28th March 1991

David Hunt
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order amends the Electricity Generators (Rateable Values) Order 1989 to secure that the rateable values of hereditaments are to be determined in accordance with the Order—

- (a) in the case of a hereditament comprising an electricity generator used in connection with a combined heat and power scheme, only if such use is the primary function of the hereditament; and
- (b) in the case of a generator which has the burning of refuse as its primary source of energy, only if it is not primarily used for the purposes of generating electricity or a combined heat and power scheme, and has a capacity of 25 megawatts or more.

Article 3 amends the Electricity Supply Industry (Rateable Values) Order 1989 to secure that the factor used for the annual recalculation of the rateable values of electricity hereditaments occupied or (if unoccupied) owned by certain power generation companies is calculated separately in relation to England and to Wales.