
STATUTORY INSTRUMENTS

1993 No. 772

RATING AND VALUATION

The Water Undertakers (Rateable Values) (Amendment) Order 1993

Approved by both Houses of Parliament

Made - - - - 15th March 1993

Coming into force - - 16th March 1993

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 143(1) and 146(6) of, and paragraph 3(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 a draft of which has been laid before, and approved by resolution of, each House of Parliament:

Citation and commencement

1. This Order may be cited as the Water Undertakers (Rateable Values) (Amendment) Order 1993 and shall come into force on the day after the day on which it is made.

Amendment of Order

2. The Water Undertakers (Rateable Values) Order 1989(2) is amended in accordance with the following provisions of this Order.

Amendment of Part I

3. In article 2 (interpretation), after the definition of “relevant year” there is inserted the following definition—

““the standard formula” means the formula

$$T + U$$

where—

T is the amount specified in relation to a class of hereditaments in column 1 of the Schedule; and

(1) 1988 c. 41. Paragraph 3(2) of Schedule 6 is amended by paragraph 38(13) of Schedule 5 to the Local Government and Housing Act 1989 (c. 42).

(2) S.I. 1989/2479, amended by S.I. 1991/2924 and by sections 2(3) and 3(2) and (3) of the Non-Domestic Rating Act 1992 (c. 46).

U is the recalculation factor applicable to that class determined in accordance with Part IV in respect of the relevant year.”.

Amendment of Part II

4. In Part II (initial rateable values)—
- (a) for paragraph (b) of article 5 (interpretation) there is substituted the following—
 - “(b) T and U have the meanings given in the definition of “the standard formula.”; and
 - (b) in article 11 (decreasing rateable values)—
 - (i) in paragraph (2), for the words “The rateable value” there are substituted the words “Except in a case to which paragraph (2A) applies, the rateable value”;
 - (ii) after paragraph (2) there is inserted the following—
 - “(2A) This paragraph applies to any class of hereditaments included in combined hereditaments within the meaning of Part V.
 - (2B) In a case to which paragraph (2A) applies, article 17 shall apply as if the rateable value of the class in question for the year in which it is first included as mentioned in that paragraph and later years would (but for that article) have been determined in accordance with Part III.”; and
 - (ii) in paragraph (3) for the words “any such year” there are substituted the words “any intermediate year”.

Amendment of Part III

5. In article 12 (general provision for rateable values) for the words “In the case” there are substituted the words “Subject to article 11(2B) and Part V, in the case”.

Special cases

6. After Part IV (annual recalculation of rateable values) there is inserted the following—

“PART V

CALCULATION OF RATEABLE VALUES: SPECIAL CASES

Interpretation of Part V

15. In this Part—
- “combined hereditaments” means the scheme hereditaments and any other water hereditaments occupied by a scheme transferee;
 - “Schedule 2 scheme” means a scheme under Schedule 2 to the Water Industry Act 1991;
 - “scheme hereditaments” means water hereditaments transferred by a Schedule 2 scheme; and
 - “scheme transferee” means a water undertaker which, in consequence of a Schedule 2 scheme, occupies a class of hereditaments which immediately before the day on which the scheme comes into force are occupied by another water undertaker.

Application of Part V

16. This Part applies for the purpose of determining, as regards any day on which, pursuant to the Central Rating Lists Regulations 1989, combined hereditaments occupied by a scheme transferee are shown in a central rating list, the rateable value (as a whole) of those hereditaments.

Determination of rateable values

17.—(1) The rateable value (as a whole) of combined hereditaments shall be an amount equal to the aggregate of the amounts which, but for the Schedule 2 scheme, and subject to paragraph (2) below, would have been determined in accordance with Part III, as the rateable value of the classes of hereditaments which constitute the combined hereditaments.

(2) For the purposes of determining the recalculation factor applicable in a relevant year, Part IV shall apply as if, in calculating the amount assigned to Y or, in a case to which article 14(3) applies, the number assigned to Z, water supplied by or to the scheme transferee to or by another party to the Schedule 2 scheme were ignored.”(3).

12th March 1993

Michael Howard
Secretary of State for the Environment

15th March 1993

David Hunt
Secretary of State for Wales

(3) The chapter number of [The Water Industry Act 1991](#) is c.56. The serial number of [The Central Rating Lists Regulations 1989](#) is No. 2263, a relevant amending instrument is [S.I. 1993/166](#).

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

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Water Undertakers (Rateable Values) Order 1989 which provides for the determination of the rateable value of water supply hereditaments occupied (or, if unoccupied, owned) by water undertakers and shown in a central rating list.

The amendments referred to in articles 3 and 4(a) are drafting amendments. The effect of the amendments is to secure that the definition of “the standard formula” applies throughout the Order.

The amendments referred to in articles 4(b), 5 and 6 make special provision for the determination of the rateable value of water supply hereditaments in consequence of the transfer of property from one water undertaker to another. Such transfers occur on the coming into force of schemes under Schedule 2 to the Water Industry Act 1991 and are associated with variations in the appointments of persons as water undertakers under that Act.