
STATUTORY INSTRUMENTS

1997 No. 3017

RATING AND VALUATION

**The Non-Domestic Rating (Chargeable Amounts)
(Amendment) (No. 2) Regulations 1997**

Made - - - - 17th December 1997

Coming into force - - 31st December 1997

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 section 58 of the Local Government Finance Act 1988⁽¹⁾ and of all other powers enabling them in that behalf, hereby make the following Regulations, a draft of which has been laid before, and approved by resolution of, each House of Parliament:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Non-Domestic Rating (Chargeable Amounts) (Amendment) (No. 2) Regulations 1997 and shall come into force on 31st December 1997.

(2) In these Regulations “the principal regulations” means the Non-Domestic Rating (Chargeable Amounts) Regulations 1994⁽²⁾.

Hereditaments in rural settlements

2.—(1) Regulation 10 of the principal regulations is amended as follows.

(2) For paragraph (1) there is substituted—

“(1) For a hereditament to which this regulation applies, the chargeable amount for a chargeable day which is a relevant day shall be found in accordance with the rules prescribed in this regulation in place of the provisions of sections 43(4) to (6E), 44 and 45(4) to (6) of the Act.”

(3) After paragraph (5) there is inserted—

“(5A) Where paragraph (5B) applies, the chargeable amount for a chargeable day shall be found by dividing the amount calculated in accordance with paragraph (2) by 2.

(1) 1988 c. 41. Section 58 is amended by section 2 of the Non-Domestic Rating Act 1994 (c. 3).

(2) S.I. 1994/3279; relevant amendment is by S.I. 1995/1678.

(5B) This paragraph applies where, on the day concerned, section 43(6B) of the Act(3) (general stores etc. in rural settlements) applies as respects the hereditament.”

New hereditaments in rural settlements

3.—(1) Schedule 2 (splits and mergers) to the principal regulations is amended as follows.

(2) In sub-paragraph (1) in each of paragraphs 5 and 6, for “section 43(4) to (6)” there is substituted “section 43(4) to (6E)”.

(3) In sub-paragraph (3)(c in each of paragraphs 5 and 6, for “sections 43(6) (charities)” there is substituted “sections 43(6) and (6B) (charities; general stores etc. in rural settlements)”.

(4) After sub-paragraph (5) of each of paragraphs 5 and 6 there is inserted—

“(5A) Where sub-paragraph (5B) applies, the chargeable amount for a chargeable day shall be found by dividing the amount calculated in accordance with sub-paragraph (2) by 2.

(5B) This sub-paragraph applies where on the day concerned section 43(6B) of the Act (general stores etc. in rural settlements) applies as respects the hereditament.”

(5) In sub-paragraph (3) of paragraph 9(4), for “section 43(6) (charities)” there is substituted “sections 43(6) and (6B) (charities; general stores etc. in rural settlements)”.

Signed by authority of the Secretary of State

Hilary Armstrong
Minister of State
Department of the Environment, Transport and
the Regions

17th December 1997

Signed by authority of The Secretary of State for Wales

Win Griffiths
Parliamentary Under Secretary of State, Welsh
Office

17th December 1997

(3) Section 43 is amended, and subsections (6A) to (6E) inserted, by paragraph 2 of Schedule 1 to the Local Government and Rating Act 1997 (c. 29).

(4) Paragraph 9 is amended by S.I. 1995/1678.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to the Non-Domestic Rating (Chargeable Amounts) Regulations 1994 (“the 1994 regulations”), which make provision for the five year period beginning on 1st April 1995 in relation to non-domestic rates under Part III of the Local Government Finance Act 1988 as to the chargeable amount for which a ratepayer is liable in certain circumstances.

The regulations are made to adjust the chargeable amounts payable under the 1994 regulations in the light of rate relief for general stores and post offices in rural settlements, which takes effect from 1st April 1998 under Schedule 1 to the Local Government and Rating Act 1997. Regulation 2 provides for the determination of chargeable amounts, and regulation 3 for adjustments when a new hereditament is created on the splitting or merging of an existing hereditament or hereditaments.