



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2000 Rhif 2041 (Cy. 147)

2000 No. 2041 (W. 147)

**ARDRETHU A PHRSIO,
CYMRU**

**RATING AND VALUATION,
WALES**

Rheoliadau Ardrethu Annomestig
(Symiau y Gellir eu Codi)
(Diwygio) (Cymru) 2000

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

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau.)

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

Mae Rheoliadau Ardrethu Annomestig (Symiau y Gellir eu Codi) (Cymru) 1999 ("y prif Reoliadau") yn gwneud darpariaeth, mewn perthynas ag ardrethi annomestig o dan Ran III o Ddeddf Cyllid Llywodraeth Leol 1988, ar gyfer y symiau y gellir eu codi ac y mae'r sawl sy'n talu'r ardrethi yn atebol i'w talu o dan amgylchiadau penodol.

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.

Mae'r Rheoliadau hyn yn ymestyn y cyfnod pryd y mae'r prif Reoliadau'n gymwys i gynnwys y blynyddoedd ariannol a fydd yn dechrau ar 1 Ebrill 2003 a 1 Ebrill 2004 ac yn pennu'r rheolau ar gyfer penderfynu ar y swm y gellir ei godi yn y blynyddoedd hynny.

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

Maent hefyd yn diwygio Rheoliad 10 o'r prif Reoliadau er mwyn cyfyngu ar y gostyngiad yn y swm y gellir ei godi o dan rai amgylchiadau .

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.

Mae'r cyfnod ar gyfer cyflwyno apelau yn erbyn ardystio o dan y prif Reoliadau wedi'i ymestyn o 1 Ebrill 2001 i 1 Ebrill 2005.

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

Pennir y dyddiadau effeithiol ar gyfer penderfynu ar y symiau y gellir eu codi yn unol â Rheoliadau 8 a 10 o'r prif Reoliadau drwy gyfeirio at Reoliadau Ardrethu Annomestig (Newid Rhestrau ac Apelau) (Cymru) 1993 lle gwneir newidiadau i'r gwerth ardrethol a ddangosir mewn rhestr yn unol â'r Rheoliadau hynny.

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.

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(Diwygio) (Cymru) 2000****The Non-Domestic Rating
(Chargeable Amounts)
(Amendment) (Wales) Regulations
2000***Wedi'u gwneud* 19 Gorffennaf 2000
Yn dod i rym 1 Awst 2000*Made* 19th July 2000
Coming into force 1st August 2000

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 58 a 143(1) a (2) o Ddeddf Cyllid Llywodraeth Leol 1988(a) sydd bellach wedi'u breinio yng Nghynulliad Cenedlaethol Cymru i'r graddau y maent yn arferadwy yng Nghymru(b).

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(a) which are now vested in it so far as exercisable in Wales(b).

Enwi, cychwyn a chymhwyso**Citation, commencement and application**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Ardrethu Annomestig (Symiau y Gellir eu Codi) (Diwygio) (Cymru) 2000, a deuant i rym ar 1 Awst 2000.

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) Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig.

(2) These Regulations apply to Wales only.

Dehongli**Interpretation**

2. Yn y Rheoliadau hyn, ystyr "y prif Rheoliadau" yw Rheoliadau Ardrethu Annomestig (Symiau y Gellir eu Codi) (Cymru) 1999(c).

2. In these Regulations; "the principal Regulations" means the Non-Domestic Rating (Chargeable Amounts) (Wales) Regulations 1999(c).

(a) 1988 p.41. Diwygiwyd adran 143(2) gan baragraff 72(2) o Atodlen 5 i Ddeddf Llywodraeth Leol a Thai 1989 (p.42). Diwygiwyd paragraff 3(2) o Atodlen 6 gan baragraff 38(13) o Atodlen 5 i Ddeddf 1989.

(a) 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.

(b) Gweler Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(b) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(c) O.S. 1999/3454 (Cy.51).

(c) S.I. 1999/3454 (W.51).

Diwygio'r prif Reoliadau

3.-(1) Diwygir y prif Reoliadau yn unol â'r paragraffau canlynol.

(2) Yn Rheoliad 2(1), ar ôl y diffiniad o "person dynodedig" rhowch -

"ystyr "Rheoliadau 1993" yw Rheoliadau Ardrethu Annomestig (Newid Rhestrau ac Apelau) 1993; (a).

(3) Yn Rheoliad 3(1), yn lle "ac 1 Ebrill 2002", rhowch -

" , 1 Ebrill 2002, 1 Ebrill 2003 a 1 Ebrill 2004."

(4) Yn Rheoliad 8, ar ôl paragraff (4), rhowch -

"(5) Yn y blynyddoedd perthnasol sy'n dechrau ar 1 Ebrill 2003 a 1 Ebrill 2004, cyfrifir y swm y gellir ei godi yn unol â darpariaethau Rhan III o'r Ddeddf."

(5) Yn Rheoliad 10, ar ôl paragraff (3), rhowch -

"(4) Os yw'r swm a geir drwy gymhwyso'r fformwla a nodir ym mharagraffau (2) a (3) yn llai na'r swm a geid drwy gyfrifo'r swm y gellir ei godi am ddosbarth perthnasol ar gyfer yr hereditament hwnnw yn unol â darpariaethau Rhan III o'r Ddeddf, y swm a gyfrifir yn unol â Rhan III o'r Ddeddf fydd y swm y gellir ei godi am ddiwrnod perthnasol ar gyfer yr hereditament hwnnw.

(5) Yn y blynyddoedd perthnasol sy'n dechrau ar 1 Ebrill 2003 a 1 Ebrill 2004 cyfrifir y swm y gellir ei godi yn unol â darpariaethau Rhan III o'r Ddeddf."

(6) Ar ôl Rheoliad 10, rhowch -

"10A.Mae Rheoliad 10B yn gymwys i hereditament diffiniedig os yw'r amod yn Rheoliad 9 wedi'i fodloni ac nad yw adrannau 43(5), 43(6A) neu 45 o'r Ddeddf yn gymwys ar 31 Mawrth 2000.

10B.-(1) Os elusen neu ymddriedolwyr elusen sy'n talu'r ardrethi a bod yr hereditament diffiniedig yn cael ei ddefnyddio yn gyfan gwbl neu yn bennaf at ddibenion elusennol, ceir y swm y gellir ei godi drwy rannu'r swm a gyfrifir yn unol â rheoliad 10 â 5.

(2) Os yw adran 43(6B) o'r Ddeddf (siopau cyffredinol etc. mewn aneddiadau gwledig) yn gymwys mewn perthynas â'r hereditament diffiniedig, ceir y swm y gellir ei godi drwy rannu'r swm a gyfrifir yn unol â rheoliad 10 â 2.

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;"(a).

(3) In Regulation 3(1), for "and 1st April 2002", substitute -

" , 1st April 2002, 1st April 2003 and 1st April 2004."

(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.

(a) Diwygiwyd O.S. 1993/291 gan Reoliadau Ardrethu Annomestig (Newid Rhestrau ac Apelau) (Diwygio) (Cymru) 2000 (O.S. 2000/792 (Cy.29)).

(a) 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)).

(3) Os yw'r amodau yn adran 45(1) o'r Ddeddf (eiddo nad yw wedi'i feddiannu) wedi'u bodloni mewn perthynas â'r hereditament diffiniedig, ceir y swm y gellir ei godi drwy rannu'r swm a gyfrifir yn unol â rheoliad 10 â 2, neu mewn achos lle mae adran 45(6) (hereditamentau elusennau nad ydynt wedi'i meddiannu) yn gymwys, â 10.”.

(7) Yn Rheoliad 12(2), yn lle “2001” rhowch - “2005”.

(8) Ar ôl Rheoliad 12, rhowch -

“13. Pan wneir newid yn y gwerth ardrethol a ddangosir mewn rhestr ar 1 Ebrill 2000, a bod y newid hwnnw yn effeithiol o ddyddiad diweddarach yn unol â darpariaethau Rheoliad 13A(2) o Reoliadau 1993, yna bydd darpariaethau Rheoliad 11(1) yn gymwys.” **(a)**.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998**(b)**.

19 Gorffennaf 2000

(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.” **(a)**.

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

19th July 2000

D Elis Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) Mewnosodwyd Rheoliad 13A gan Reoliadau Ardrethu Annomestig (Newid Rhestrau ac Apelau) (Diwygio) (Cymru) 2000 (O.S. 2000/792 (Cy.29)).

(b) 1998 p.38.

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

(b) 1998 c.38.

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