
WELSH STATUTORY INSTRUMENTS

2000 No. 555 (W.22)

RATING AND VALUATION, WALES

The Railtrack plc (Rateable Value) (Wales) Order 2000

Made - - - - 29th February 2000

Coming into force - - 1st April 2000

The National Assembly for Wales makes the following Order in exercise of the powers conferred on the Secretary of State by sections 143(1) and (2) of, and paragraph 3(2) of Schedule 6 to, the Local Government Finance Act 1988(1), which are now vested in it, so far as exercisable in Wales(2).

Citation, commencement and application

1.—(1) This Order may be cited as the Railtrack plc (Rateable Value) (Wales) Order 2000 and shall come into force on 1st April 2000.

(2) This Order applies only to Wales.

Commencement Information

II [Art. 1](#) in force at 1.4.2000, see [art. 1\(1\)](#)

Interpretation

2. In this Order —

“the Act” (“*y Ddeddf*”) means the Local Government Finance Act 1988;

“the Central List Regulations” (“*y Rheoliadau Rhestr Ganolog*”) means the Central Rating List (Wales) Regulations 1999(3);

“central list” (“*rhestr ganolog*”) means the central non-domestic rating list for Wales compiled on ^{F1}... 1st April 2000;

“estimated relevant track length” (“*amcangyfrif o hyd y trac perthnasol*”), means the length of track, expressed in kilometres, estimated to be comprised in the railways of Railtrack;

(1) 1988 c. 41. See section 146(6) for the definition of “prescribed”. Section 143(2) is amended by paragraph 72(2) of Schedule 5 to the Local Government and Housing Act 1989 (c. 42). Paragraph 3 of Schedule 6 is amended by paragraph 38(12) and (13) of Schedule 5 to the 1989 Act.

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

(3) S.I. 1999/3453.

Status: Point in time view as at 01/04/2003.

Changes to legislation: There are currently no known outstanding effects for the The Railtrack plc (Rateable Value) (Wales) Order 2000. (See end of Document for details)

“Railtrack” (“*Railtrack*”) means Railtrack plc;

“relevant hereditament” (“*hereditament perthnasol*”) means the hereditament described in Part 4 of the Schedule to the Central List Regulations;

“relevant year” (“*blwyddyn berthnasol*”) means any year for which a rateable value is to be determined in accordance with this Order;

“relevant preceding year” (“*blwyddyn flaenorol berthnasol*”) means the year preceding a relevant year;

“track” (“*trac*”) has the meaning given by section 83 of the Railways Act 1993(4); and

“year” (“*blwyddyn*”) means a chargeable financial year.

F1 Words in art. 2 omitted (1.4.2003) by virtue of The Non-Domestic Rating (Utilities) (Rateable Value) (Amendment) (Wales) Order 2003 (S.I. 2003/944), arts. 1(1), 4(a)

Commencement Information

I2 Art. 2 in force at 1.4.2000, see art. 1(1)

Rounding of numbers

3. Where (apart from this article) any rateable value determined under this Order would include a fraction of a pound —

- (a) if the fraction would exceed 50p it shall be made up to one pound;
- (b) if the fraction would be 50p or less it shall be ignored.

Commencement Information

I3 Art. 3 in force at 1.4.2000, see art. 1(1)

Rateable values

4. In the case of the relevant hereditament, paragraphs 2 to 2C of Schedule 6 to the Act(5) shall not apply in any year for which the central list is in force, and the rateable value of that hereditament in any such year —

- (a) in the year beginning on 1st April 2000 shall be £6,240,000 and
- (b) in any other year beginning on or after 1 April 2001 shall be the amount produced by applying the rules prescribed in Article 5.

Commencement Information

I4 Art. 4 in force at 1.4.2000, see art. 1(1)

(4) 1993 c. 43.

(5) Paragraph 2 is amended by, and paragraphs 2A and 2B are inserted by, paragraph 38(3) to (11) of Schedule 5 to the Local Government and Housing Act 1989. Paragraph 2C is inserted by section 2 of the Local Government and Rating Act 1997 (c. 29).

Recalculation factor

5.—(1) In any year [^{F2}for which the central list is in force] beginning on or after 1st April 2001, the rateable value of the relevant hereditament shall be the amount produced by adding £6,240,000 and the recalculation factor calculated under this Article.

(2) Subject to paragraph (4), this paragraph applies for the purposes of calculating the recalculation factor where in relation to a relevant year the amount produced by calculating in relation to the relevant hereditament in accordance with the formula —

$$\frac{k - K}{K}$$

is 0.05, -0.05 or any number between those numbers.

(3) The recalculation factor in relation to a relevant year in respect of which paragraph (2) applies is 0.

(4) In relation to a relevant year —

(a) in respect of which the amount calculated in accordance with paragraph (2) is greater than 0.05 or less than -0.05, or

(b) in respect of which paragraph (2) does not apply in respect of the relevant preceding year, the recalculation factor is the amount produced by calculating in accordance with the formula —

$$T \left(\frac{k - K}{K} \right)$$

(5) For the purposes of this article —

T has the value £6,240,000;

K is the estimated relevant track length as at 31st March 2000;

k is the estimated relevant track length as at 31st March in the relevant preceding year.

F2 Words in [art. 5\(1\)](#) inserted (1.4.2003) by [The Non-Domestic Rating \(Utilities\) \(Rateable Value\) \(Amendment\) \(Wales\) Order 2003 \(S.I. 2003/944\)](#), arts. 1(1), **4(b)**

Commencement Information

I5 [Art. 5](#) in force at 1.4.2000, see [art. 1\(1\)](#)

Revocations and savings

6.—(1) Subject to paragraph (2), the following are hereby revoked with effect from 1st April 2000 —

(a) the Railways (Rateable Values) Order 1994(**6**);

(b) the Railways (Rateable Values) (Amendment) Order 1999(**7**).

(2) The provisions of the Orders mentioned in paragraph (1) shall continue to have effect on and after 1st April 2000 for the purposes of, and for purposes connected with —

(a) any alteration of a central list compiled before 1st April 2000, or

(6) S.I. 1994/3284.

(7) S.I. 1999/1003.

Status: Point in time view as at 01/04/2003.

Changes to legislation: There are currently no known outstanding effects for the The Railtrack plc (Rateable Value) (Wales) Order 2000. (See end of Document for details)

- (b) any provision made by regulations under section 58(8) (special provision for 1995 onwards) of the Act as to the chargeable amount as regards a hereditament for a relevant period prior to 1st April 2000 as defined in that section.

Commencement Information

I6 Art. 6 in force at 1.4.2000, see [art. 1\(1\)](#)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(9)

D. Elis Thomas
The Presiding Officer of the National Assembly

(8) Section 58 is amended by paragraph 68 of Schedule 13 to the Local Government Finance Act 1992 (c. 14), section 2 of the Non-Domestic Rating Act 1994 (c. 3) and section 1 of the Local Government and Rating Act 1997 (c. 29).

(9) 1998 c. 38.

EXPLANATORY NOTE

(This note is not part of the Order)

Under paragraph 3(2) of Schedule 6 to the Local Government Finance Act 1988, the National Assembly for Wales may by order provide that non-domestic hereditaments of a description shown in a central rating list are not to be valued for non-domestic rating on the basis set out in paragraphs 2 to 2C of that Schedule (that is to say, by reference to the rent a hypothetical tenant would pay for a hereditament on an annual basis), but that their rateable values shall be such as are specified in the order or determined in accordance with prescribed rules.

Article 4 of this Order prescribes the rateable value of the hereditament entered, by virtue of the Central Rating List (Wales) Regulations 1999, in the central list in respect of Railtrack plc, for financial years beginning on or after 1st April 2000.

Article 5 provides for the factor by reference to which that value is to be adjusted for the purposes of determining the rateable value for financial years beginning on or after 1st April 2001 in respect of the hereditament treated as occupied by Railtrack plc.

Article 6 of this order revokes, subject to certain savings, with effect from 1st April 2000, the Railways (Rateable Values) Order 1994, which (as amended) applied in respect of years commencing on or after 1st April 1995.

Status:

Point in time view as at 01/04/2003.

Changes to legislation:

There are currently no known outstanding effects for the The Railtrack plc (Rateable Value) (Wales) Order 2000.