
WELSH STATUTORY INSTRUMENTS

2015 No. 1878 (W. 275)

HOUSING, WALES
ACQUISITION OF LAND, WALES

The Home Loss Payments (Prescribed
Amounts) (Wales) Regulations 2015

<i>Made</i>	- - - -	<i>9 November 2015</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>13 November 2015</i>
<i>Coming into force</i>	- -	<i>10 December 2015</i>

The Welsh Ministers, in exercise of the powers conferred upon the Secretary of State by section 30(5) of the Land Compensation Act 1973(1) and now exercisable by them in relation to Wales(2), make the following Regulations:

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the Home Loss Payments (Prescribed Amounts) (Wales) Regulations 2015 and they come into force on 10 December 2015.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations “the Act” means the Land Compensation Act 1973.

Revised amounts of home loss payment

2. When the date of displacement is on or after the day on which these Regulations come into force —

(a) the prescribed maximum amount of home loss payment for the purposes of section 30(1) of the Act is £53,000;

(b) the prescribed minimum amount of home loss payment for the purposes of section 30(1) of the Act is £5,300; and

(1) 1973 c.26; section 30 was substituted by section 68(3) of the Planning and Compensation Act 1991 (c.34) with effect from 25 September 1991 (see S.I. 1991/2067, article 3).

(2) The functions of the Secretary of State under section 30 were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2; and Schedule 1. The functions of the National Assembly for Wales under section 30 were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32)

- (c) the prescribed amount of home loss payment for the purposes of section 30(2) of the Act is £5,300.

Revocation and savings

3.—(1) Subject to paragraph (2), the Home Loss Payments (Prescribed Amounts) (Wales) Regulations 2008⁽³⁾ are revoked.

(2) The Regulations mentioned in paragraph (1) will continue to have effect in relation to a displacement occurring before the date on which these Regulations come into force.

9 November 2015

Lesley Griffiths
Minister for Communities and Tackling Poverty,
one of the Welsh Ministers

(3) [S.I. 2008/2845 \(W. 255\)](#).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to Wales, increase the maximum and minimum amounts of home loss payments payable under the Land Compensation Act 1973 (“the Act”) to those with an owner’s interest in a dwelling. These Regulations also increase the amount of home loss payment payable in any other case.

A person who is displaced from a dwelling by compulsory purchase or in other circumstances specified in section 29 of the Act is entitled to a home loss payment. The present basis for assessing the amount of home loss payment was established by amendments to the Act contained in the Planning and Compensation Act 1991.

Section 30 (1) of the Act provides that in cases where a person occupying a dwelling on the date of displacement has an owner’s interest, the amount of home loss payment is calculated as a percentage of the market value of that interest, subject to a maximum and minimum amount.

Section 30(2) of the Act prescribes the amount of the home loss payment in any other case.

Regulation 2(a) of these Regulations increases the maximum amount payable under section 30(1) of the Act from £47,000 to £53,000 and Regulation 2(b) increases the minimum amount from £4,700 to £5,300. Regulation 2(c) increases the home loss payment payable, under section 30(2) of the Act, in any other case from £4,700 to £5,300.

Only the maximum and minimum amounts of home loss payments are changed and there is no change to the percentage payable of the market value of the displaced person’s interest in the dwelling.

The revised amounts apply where the displacement occurs on or after 10 December 2015.

These Regulations provide that the Home Loss Payments (Prescribed Amounts) (Wales) Regulations 2008 will continue to have effect in relation to a displacement occurring before the date on which these Regulations come into force but are otherwise revoked.