
WELSH STATUTORY INSTRUMENTS

2023 No. 1229 (W. 217)

RATING AND VALUATION, WALES

**The Valuation for Rating (Plant and Machinery)
(Wales) (Amendment) Regulations 2023**

<i>Made</i>	- - - -	<i>20 November 2023</i>
<i>Laid before Senedd Cymru</i>		<i>21 November 2023</i>
<i>Coming into force</i>	- -	<i>1 April 2024</i>

The Welsh Ministers make the following Regulations in exercise of the powers conferred on the Secretary of State by paragraph 2(8) of Schedule 6 to the Local Government Finance Act 1988⁽¹⁾ and now vested in them.

Title and coming into force

1. The title of these Regulations is the Valuation for Rating (Plant and Machinery) (Wales) (Amendment) Regulations 2023 and they come into force on 1 April 2024.

Amendment to the Valuation for Rating (Plant and Machinery) (Wales) Regulations 2000

2.—(1) The Valuation for Rating (Plant and Machinery) (Wales) Regulations 2000 are amended as follows.

(2) In Class 1 of the Schedule to the Valuation for Rating (Plant and Machinery) (Wales) Regulations 2000⁽²⁾ (classes of plant and machinery to be assumed to be part of the hereditament)—

- (a) in the words before paragraph (a), after “other than excepted plant and machinery” insert “or, in relation to any day on or after 1 April 2024 and before 1 April 2035, excepted renewables plant and machinery or excepted electric vehicle charging point plant and machinery”;
- (b) after paragraph (d) insert—

(1) 1988 c. 41. Paragraph 2(8) of Schedule 6 was amended by paragraph 38(8) of Schedule 5 to the Local Government and Housing Act 1989 (c. 42). The powers of the Secretary of State were transferred, in relation to Wales, to the National Assembly for Wales by virtue of article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The functions of the National Assembly for Wales were subsequently transferred to the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

(2) S.I. 2000/1097 (W. 75), amended by S.I. 2001/2357 (W. 195); there is one other amending instrument but it is not relevant to these Regulations.

- “(e) “excepted renewables plant and machinery” means plant and machinery used or intended to be used for the generation, storage, transformation or transmission of power where the sources of energy or technologies relied upon are mainly or exclusively—
- (i) biomass;
 - (ii) biofuels;
 - (iii) biogas;
 - (iv) fuel cells;
 - (v) photovoltaics;
 - (vi) water (including waves and tides);
 - (vii) wind;
 - (viii) solar power;
 - (ix) geothermal;
 - (x) heat from air, water or the ground;
- (f) “excepted electric vehicle charging point plant and machinery” means plant and machinery which is—
- (i) used or intended to be used mainly or exclusively for storage, transformation or transmission of power for an electric vehicle charging point (within the meaning of section 45EA(5) of the Capital Allowances Act 2001(3)), and
 - (ii) within head (d) or (e) of Table 1 below.”

20 November 2023

Rebecca Evans
Minister for Finance and Local Government, one
of the Welsh Ministers

(3) 2001 c. 2. Section 45EA was inserted by section 38(3) of the Finance (No. 2) Act 2017 (c. 32). Section 45EA was amended by section 9 of the Finance (No. 2) Act 2023 (c. 30).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Valuation for Rating (Plant and Machinery) (Wales) Regulations 2000 (“the 2000 Regulations”).

The 2000 Regulations prescribe assumptions as to plant and machinery on or in a hereditament for the purposes of rating valuation.

The Schedule to the 2000 Regulations prescribes the classes of plant and machinery which are to be assumed to be part of a hereditament for rating valuation purposes, with exceptions for certain prescribed classes.

Regulation 2 of these Regulations amends Class 1 in the Schedule to the 2000 Regulations to insert two further exceptions in respect of renewables plant and machinery and electric vehicle charging points. These exceptions apply in relation to days on or after 1 April 2024 and before 1 April 2035.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Local Government Finance Policy Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.