

SCHEDULES

SCHEDULE 7

Section 56.

NON-DOMESTIC RATING: MULTIPLIERS

PART I

NON-DOMESTIC RATING MULTIPLIERS

Introduction

- 1 This Part of this Schedule has effect to determine the non-domestic rating multiplier for each chargeable financial year.

General provisions

- 2 (1) In the revenue support grant report for the financial year beginning in 1990 the Secretary of State shall specify a non-domestic rating multiplier for the year.
- (2) The multiplier must be expressed as a figure in which a part of a whole (if any) is expressed to three decimal places only.
- (3) If the report is approved by resolution of the House of Commons the multiplier so specified shall be the non-domestic rating multiplier for the year.

- 3 The non-domestic rating multiplier for a chargeable financial year beginning in or after 1991 shall be calculated in accordance with the following formula if the year is not one at the beginning of which new lists must be compiled—

$$\frac{\mathbf{A \times B}}{\mathbf{C}}$$

- 4 The non-domestic rating multiplier for a chargeable financial year beginning in or after 1991 shall be calculated in accordance with the following formula if the year is one at the beginning of which new lists must be compiled—

$$\frac{\mathbf{A \times B \times D}}{\mathbf{C \times E}}$$

- 5 (1) This paragraph applies for the purposes of paragraphs 3 and 4 above.
- (2) A is the non-domestic rating multiplier for the financial year preceding the year concerned.
- (3) B is the retail prices index for September of the financial year preceding the year concerned; but if the Treasury so provide by order in relation to the year concerned, B is a figure which is less than that index and which is specified in (or calculated in a manner specified in) the order.

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- (4) C is the retail prices index for September of the financial year which precedes that preceding the year concerned.
 - (5) But where the base month for the retail prices index for September of the financial year which precedes that preceding the year concerned (the first year) differs from that for the index for September of the year which precedes the year concerned (the second year), C is the figure which the Secretary of State calculates would have been the retail prices index for September of the first year if the base month for that index had been the same as the base month for the index for September of the second year.
 - (6) D is the number of whole pounds in the Secretary of State's estimate of the total of the appropriate rateable values of all appropriate hereditaments, where—
 - (a) appropriate rateable values are those shown (or to be shown) in lists for the last day of the financial year preceding the year concerned, and
 - (b) appropriate hereditaments are those so shown (or to be shown).
 - (7) E is the number of whole pounds in the Secretary of State's estimate of the total of the appropriate rateable values of all appropriate hereditaments, where—
 - (a) appropriate rateable values are those shown (or to be shown) in lists for the first day of the financial year concerned, and
 - (b) appropriate hereditaments are those so shown (or to be shown).
 - (8) References in sub-paragraphs (3) to (5) above to the retail prices index are references to the general index of retail prices (for all items) published by the Department of Employment; and if that index is not published for a month for which it is relevant for the purposes of any of those sub-paragraphs, the sub-paragraph shall be taken to refer to any substituted index or index figures published by that Department.
 - (9) For the purposes of sub-paragraph (5) above the base month for the retail prices index for September of a particular year is the month for which the retail prices index is taken to be 100 and by reference to which the index for the September in question is calculated.
 - (10) Estimates under sub-paragraphs (6) and (7) above shall be made on the basis of information available to the Secretary of State on such date as he determines.
 - (11) In calculating a multiplier a part of a whole (if any) shall be calculated to three decimal places only—
 - (a) adding one thousandth where (apart from this sub-paragraph) there would be more than five ten-thousandths, and
 - (b) ignoring the ten-thousandths where (apart from this sub-paragraph) there would be five, or less than five, ten-thousandths.
 - (12) The power to make an order under sub-paragraph (3) above shall be exercisable by statutory instrument.
 - (13) An order under sub-paragraph (3) above in its application to a particular financial year (including an order amending or revoking another) shall not be effective unless it is approved by resolution of the House of Commons before the approval by that House of the revenue support grant report for the year or before 1 March in the preceding financial year (whichever is earlier).
- 6 (1) The Secretary of State shall calculate the non-domestic rating multiplier for a chargeable financial year beginning in or after 1991 and, as soon as is reasonably

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practicable after doing so, shall serve on each charging authority a notice stating the multiplier as so calculated.

- (2) Where the financial year is one for which the Secretary of State has calculated a figure for C under paragraph 5(5) above, the notice must contain the figure he has calculated.
- (3) Where the financial year is one at the beginning of which new lists must be compiled, the notice must contain—
 - (a) his estimates made under paragraph 5(6) and (7) above, and
 - (b) the date determined by him under paragraph 5(10) above for the purpose of making the estimates.
- (4) A calculation under sub-paragraph (1) above is invalid unless one or both of the following conditions is fulfilled—
 - (a) it is made after the revenue support grant report for the year has been approved by resolution of the House of Commons;
 - (b) it is made on or after 1 March in the preceding financial year.
- (5) A calculation under sub-paragraph (1) above is invalid if made at a time when an order under paragraph 5(3) above which is effective in relation to the year has not come into force.

Special provision for 1990-95

- 7 (1) Regulations under section 57 above in relation to a relevant financial year may include provision that the non-domestic rating multiplier for the year shall be one which exceeds what it would have been if the regulations had not been made and which is specified in the regulations; and in such a case paragraphs 2 to 6 above shall have effect subject to the regulations.
- (2) A multiplier specified under this paragraph must be expressed as a figure in which a part of a whole (if any) is expressed to three decimal places only.
- (3) For the purposes of this paragraph relevant financial years are financial years beginning in 1990, 1991, 1992, 1993 and 1994.
- 8 (1) A multiplier must be specified under paragraph 2 above for the financial year beginning in 1990 even if a different one is or may be specified for the year under paragraph 7 above.
- (2) A multiplier must be calculated, and notices of it must be served, under paragraphs 3 to 6 above for each subsequent relevant financial year even if a different one is or may be specified for the year under paragraph 7 above.
- (3) In calculating under paragraphs 3 to 6 above the multiplier for a financial year beginning in or after 1991 (whether or not a relevant financial year) A shall be taken to be what it would have been if no regulations had been made under section 57 above for any year.
- (4) An order may be made under paragraph 5(3) above in relation to a financial year beginning in or after 1991 even if a multiplier is or may be specified for the year under paragraph 7 above.
- (5) For the purposes of this paragraph relevant financial years are financial years beginning in 1990, 1991, 1992, 1993 and 1994.

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PART II

SPECIAL AUTHORITY'S MULTIPLIERS

- 9 (1) A special authority's non-domestic rating multiplier for a chargeable financial year shall be such as is set for the year by the authority in accordance with this Part of this Schedule.
- (2) The multiplier must be expressed as a figure in which a part of a whole (if any) is expressed to three decimal places only.
- (3) The multiplier must be not less than the required minimum for the year and not greater than the required maximum for the year, where—
- (a) the required minimum for the year is a figure equal to such proportion of the non-domestic rating multiplier for the year as is specified in an order made by the Secretary of State, and
 - (b) the required maximum for the year is a figure calculated in accordance with a formula specified in the order.
- (4) An order under sub-paragraph (3) above in its application to a particular financial year (including an order amending or revoking another) shall not be effective unless it comes into force before 1 January in the preceding financial year.
- 10 (1) Where a special authority has set a multiplier for a financial year (originally or by way of substitute) it may set a multiplier in substitution if, and only if, it has been quashed because of a failure to fulfil paragraph 9(2) or (3) above.
- (2) Any multiplier set in substitution must be set in accordance with paragraph 9 above.
- (3) Where a special authority sets a multiplier in substitution under this paragraph (a new multiplier) anything paid to it by reference to the multiplier for which it is substituted (the old multiplier) shall be treated as paid by reference to the new multiplier.
- (4) But if the old multiplier exceeds the new multiplier, the following shall apply as regards anything paid if it would not have been paid had the old multiplier been the same as the new multiplier—
- (a) it shall be repaid if the person by whom it was paid so requires;
 - (b) in any other case it shall (as the authority determines) either be repaid or be credited against any subsequent liability of the person to pay anything to it by way of a non-domestic rate.
- 11 (1) Where a special authority has set a multiplier in accordance with paragraph 9 above (whether originally or by way of substitute) it shall, before the end of the period of 21 days beginning with the day of doing so, publish a notice of the multiplier in at least one newspaper circulating in its area.
- (2) Failure to comply with sub-paragraph (1) above does not make a multiplier invalid.