

**2022 No. 1198**

**RATING AND VALUATION, ENGLAND**

**The Non-Domestic Rating (Alteration of Lists and Appeals)  
(England) (Amendment) Regulations 2022**

<i>Made</i>	- - - -	<i>17th November 2022</i>
<i>Laid before Parliament</i>		<i>21st November 2022</i>
<i>Coming into force</i>	- -	<i>1st April 2023</i>

The Secretary of State makes the following regulations in exercise of the powers conferred by sections 55(2), (4), (4A), (6) and 143(1) and (2) of the Local Government Finance Act 1988(a):

**Citation, commencement, extent and application**

**1.**—(1) These Regulations may be cited as the Non-Domestic Rating (Alteration of Lists and Appeals) (England) (Amendment) Regulations 2022 and come into force on 1st April 2023.

(2) These Regulations extend to England and Wales.

(3) These Regulations apply in relation to an English list(b) compiled on or after 1st April 2017.

**Amendment of the Non-Domestic Rating (Alteration of Lists and Appeals) (England) Regulations 2009**

**2.**—(1) The Non-Domestic Rating (Alteration of Lists and Appeals) (England) Regulations 2009(c) are amended as follows.

(2) Before regulation 6 (proposals: general) insert—

**“Proposals: limits**

**5A.**—(1) Subject to paragraphs (2) and (3), a person may only make a proposal(d) to alter a list if they have provided a confirmation(e) to the VO(f) before the day on which the next list is compiled.

(2) A person may only make a proposal to alter a list on the ground set out in regulation 4(1)(d) or (f) if they have provided a confirmation to the VO before—

(a) the day on which the next list is compiled; or

(b) the end of the period of six months beginning with the date of alteration,

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(a) 1988 c. 41. Section 55(4) was amended by paragraph 30(2) of Schedule 5 to the Local Government and Housing Act 1989 (c. 42). Section 55(4A) was inserted by section 32 of the Enterprise Act 2016 (c. 12). Section 143(2) was amended by paragraph 72 of Schedule 5 to the Local Government and Housing Act 1989.

(b) See section 55(8) of the Local Government Finance Act 1988 for the definition of “English list”.

(c) S.I. 2009/2268; relevant amending instruments are S.I. 2015/424, S.I. 2017/155 and 2018/911.

(d) See regulation 2(1) of S.I. 2009/2268 for the definition of “proposal”, as amended by S.I. 2017/155.

(e) See regulation 3(1) of S.I. 2009/2268 for the definition of “confirmation”, which was inserted by S.I. 2017/155.

(f) See regulation 2(1) and 3(1) of S.I. 2009/2268 for the definition of “VO”.

whichever is the later.

(3) A person may only make a proposal to alter a list on the ground set out in regulation 4(1)(e) if they have provided a confirmation to the VO before the end of the period of six months beginning with the day on which the next list is compiled.”.

(3) In regulation 14 (time from which alteration is to have effect: 2005 and subsequent lists), in paragraph (7)(b), for “paragraphs (2) to (5)” substitute “paragraphs (1B) to (5)”.

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

17th November 2022

*Lee Rowley*  
Parliamentary Under Secretary of State  
Department for Levelling Up, Housing and Communities

### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Non-Domestic Rating (Alteration of Lists and Appeals) (England) Regulations 2009 (S.I. 2009/2268) (the “2009 Regulations”).

Regulation 2(2) amends the 2009 Regulations to limit the circumstances in which a person may make a proposal for the alteration of a list no longer in force.

Regulation 2(3) amends the 2009 Regulations to clarify the time from which an alteration which increases a hereditament’s rateable value is to have effect.

An impact assessment has not been produced for this instrument because it amends an existing local tax regime. Publication of a full impact assessment is not necessary for such legislation.

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£4.90

<http://www.legislation.gov.uk/id/uksi/2022/1198>

ISBN 978-0-34-824137-2



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