
WELSH STATUTORY INSTRUMENTS

2023 No. 350

The Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2023

PART 6

Miscellaneous and General

Service of notices

59.—(1) Without prejudice to section 233 of the Local Government Act 1972 and subject to paragraphs (2), (3) and (4), any notice to be provided, sent or given or served may be served—

- (a) by delivering it—
 - (i) to the person (“X”) to whom it is to be provided, sent or given or on whom it is to be served, or
 - (ii) to any other person authorised by X to act as X’s agent for the purpose;
- (b) by sending it to X or X’s agent by electronic communication;
- (c) by leaving it at or forwarding it by post to—
 - (i) X’s usual or last-known place of business, or
 - (ii) in the case of a company, its registered office, or
 - (iii) the usual or last-known place of business or registered office of any other person authorised as mentioned in sub-paragraph (a)(ii);
- (d) by delivering it to some person on the premises to which it relates or, if there is no person on the premises to whom it can so be delivered, by fixing it to some conspicuous part of the premises;
- (e) without prejudice to the preceding provisions of this regulation, where a hereditament to which the notice relates is a place of business of the person to whom it is to be provided, sent or given or on whom it is to be served, by leaving it at, or forwarding it by post addressed to that person at, that place of business.

(2) At the same time as a copy of a notice under any of the following provisions is provided, sent or given or served on a person’s agent, the notice must also be provided to X—

- (a) regulation 8(1);
- (b) regulation 10(1);
- (c) regulation 13;
- (d) regulation 14(2);
- (e) regulation 16;
- (f) regulation 20(b);
- (g) regulation 23(2).

(3) Any notice to be served by a VO on a person who made a request under regulation 6(2) or a proposal using the VO's electronic portal (as defined in regulation 3) may be served by notifying the person by electronic communication that a notice addressed to the person is posted on that electronic portal.

(4) Any notice to be served by the VTW on a person who made an appeal using the VTW's electronic portal may be served by notifying the person by electronic communication that a notice addressed to the person is posted on that electronic portal.

(5) Any notice to be provided, sent or given or served on the owner or occupier of any premises may be addressed by the description of "owner" or "occupier" of the premises, without further name or description.

(6) Except where these Regulations require a notice to be provided, sent, given or served using the VO's electronic portal or in another manner agreed with the VO, any notice to be provided, sent or given to or served on a VO may be provided, sent, given or served by—

- (a) addressing the notice to the VO for the area in question, without further description, and
- (b) delivering it or sending it to the VO's office by post or electronic communication.

(7) In this regulation—

- (a) any reference to the VO's electronic portal includes a reference to the online facility provided by the VO for use in connection with proposals for the alteration of a central list compiled on or after 1 April 2023;
- (b) any reference to a notice includes a reference to a proposal and any other document required or authorised to be served;
- (c) any reference to a requirement or authorisation is to a requirement or authorisation under these Regulations;
- (d) any notice sent by the means described in paragraph (1)(b) must be regarded as sent when it is received in a legible form.

Commencement Information

11 Reg. 59 in force at 1.4.2023, see [reg. 1\(2\)](#)

Retention of records

60.—(1) Before altering an entry in a local list or the central list, the VO or where appropriate, the CVO must ensure that a record (which need not be in documentary form) is made of the entry.

(2) A record made under paragraph (1) must be retained until the expiry of six years beginning on the day on which the next list is compiled.

Commencement Information

12 Reg. 60 in force at 1.4.2023, see [reg. 1\(2\)](#)

Information to be supplied by relevant authorities

61.—(1) Information of the description set out in paragraph (2) is prescribed information for the purposes of paragraph 6(1A) of Schedule 9 to the Act.

(2) In relation to any property that is mentioned in paragraph (3), the information is—

- (a) the address of the property;

- (b) the nature of the event by reason of which, in the opinion of the relevant authority, the local list is required to be altered;
 - (c) the day from which, in the opinion of the relevant authority, the alteration applies;
 - (d) if the property is shown in a local list, any reference number ascribed to it in that list.
- (3) For a relevant authority, the property referred to in paragraph (2), is any non-domestic property in that authority's area—
- (a) which is, in the authority's opinion, property which is or may become liable to a rate, and
 - (b) for which—
 - (i) there is no entry in the local list, or
 - (ii) in the authority's opinion any entry in that list requires to be altered.
- (4) The information required by this regulation must be supplied as soon as is reasonably practicable after it comes to the attention of the relevant authority.

Commencement Information

I3 Reg. 61 in force at 1.4.2023, see [reg. 1\(2\)](#)

Miscellaneous amendments

62.—(1) In the Non-Domestic Rating (Communications Hereditaments) (Valuation, Alteration of Lists and Appeals and Material Day) (Wales) Regulations 2008**(1)**—

- (a) in regulation 2, in the definition of “ALA Regulations”, for the “Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2005” substitute “Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2023”;
- (b) omit regulation 5.

(2) In the Non-Domestic Rating (Payment of Interest) Regulations 1990**(2)** after regulation 6(1) insert—

“(1A) This regulation applies in Wales where a valuation officer—

- (a) within 28 days of the making by the valuation tribunal of a decision in consequence of which an order requiring the alteration of a list is made, makes an application under regulation 54(1) of the Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2023, or
- (b) appeals under regulation 51(1) of those Regulations against any such decision or order.”

(3) In respect of Wales, in regulation 3(7)(b)(i) of the Non-Domestic Rating (Material Day for List Alterations) Regulations 1992**(3)**, for “day on which the proposal was served on the valuation officer” substitute “date on which the VO received a confirmation under regulation 7 of the Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2023 (as stated in an acknowledgement served by the VO under regulation 8(1) of those Regulations)”.

Commencement Information

I4 Reg. 62 in force at 1.4.2023, see [reg. 1\(2\)](#)

(1) [S.I. 2008/2671 \(W. 235\)](#).

(2) [S.I. 1990/1904](#).

(3) [S.I. 1992/556](#), to which there are amendments not relevant to these Regulations.

Revocation and transitional provision

63.—(1) The following Regulations are revoked—

- (a) the Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2005⁽⁴⁾;
- (b) the Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) (Amendment) Regulations 2006⁽⁵⁾.

(2) Despite the coming into force of paragraph (1), the following must follow the procedure set out in the Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2005 as they applied immediately before 1 April 2023—

- (a) any alteration of a central or local list compiled before 1 April 2023;
- (b) any provision made by regulations under section 58 of the Act (special provision for 1995 onwards) as to the chargeable amount as regards a hereditament for a relevant period, as defined in that section, ending before 1 April 2005.

(3) In relation to any notice of appeal pursuant to regulation 19 of the Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2005, which relates to a completion day of 1 April 2023 or later, but which is served on the clerk before the date of coming into force of these Regulations the notice of appeal is treated as served, and any procedural step taken in respect of the appeal is be treated as taken, under these Regulations.

Commencement Information

I5 Reg. 63 in force at 1.4.2023, see [reg. 1\(2\)](#)

⁽⁴⁾ S.I. 2005/758 (W. 83) amended by S.I. 2006/1035, S.I. 2010/713 and S.I. 2017/914.

⁽⁵⁾ S.I. 2006/1035.

Changes to legislation:

There are currently no known outstanding effects for the The Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2023, PART 6.