
WELSH STATUTORY INSTRUMENTS

2023 No. 350

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

PART 5

Appeals: General

Conduct of the hearing

43.—(1) Subject to paragraph (2), the VTW's functions of hearing or determining an appeal must be discharged by three members of the VTW, who must include at least one chairperson; and a chairperson must preside.

(2) Where all parties to an appeal who appear agree, the appeal may be decided by two members of a valuation tribunal, and despite the absence of a chairperson.

(3) The hearing must take place in public, unless the valuation tribunal orders otherwise on the application of a party, and on being satisfied that the interests of that party would be prejudicially affected.

(4) If, at a hearing of an appeal to which a VO or a listing officer is a party, every other party fails to appear, the valuation tribunal may dismiss the appeal.

(5) If, at a hearing of an appeal against a completion notice, the appellant does not appear, the valuation tribunal may dismiss the appeal.

(6) If, at the hearing of an appeal, any party does not appear, the valuation tribunal may hear and determine the appeal in their absence.

(7) Unless the valuation tribunal determines otherwise—

(a) at the hearing of an appeal arising from an alteration of a list by the VO, the VO must begin the hearing, and

(b) at the hearing of an appeal against a completion notice, the relevant authority must begin the hearing,

and in any other case parties at the hearing may be heard in the order determined by the tribunal.

(8) Parties at the hearing may call witnesses before the valuation tribunal and examine any witnesses.

(9) A hearing may be adjourned to a time and place and on the terms (if any) as the valuation tribunal thinks fit; and reasonable notice of the time and place to which the hearing has been adjourned must be given to every party.

(10) A valuation tribunal may enter and inspect—

(a) the hereditament which is the subject of the appeal, and

(b) as far as is practicable, any comparable land or property to which the attention of the tribunal is drawn.

(11) But when a valuation tribunal intends to enter any premises in accordance with paragraph (10) it must give notice to the parties who are also entitled to be represented at the inspection; and where the tribunal deems it appropriate, that representation must be limited to one person to represent those parties having the same interest in the appeal.

(12) Subject to any provision of this Part, the valuation tribunal must—

- (a) conduct the hearing in the manner it considers most suitable for the clarification of the issues before it, and generally to the just handling of the proceedings,
- (b) as seems to it appropriate, seek to avoid formality in its proceedings, and
- (c) not be bound by any enactment or rule of law relating to the admissibility of evidence before courts of law.

Commencement Information

II Reg. 43 in force at 1.4.2023, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2023, Section 43.