



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2023 Rhif 775 (Cy. 121)

2023 No. 775 (W. 121)

**LLYWODRAETH LEOL,
CYMRU**

**LOCAL GOVERNMENT,
WALES**

**Rheoliadau Tribiwnlys Prisio
Cymru (Diwygio) 2023**

**The Valuation Tribunal for Wales
(Amendment) Regulations 2023**

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Tribiwnlys Prisio Cymru 2010 ("Rheoliadau 2010").

These Regulations amend the Valuation Tribunal for Wales Regulations 2010 ("the 2010 Regulations").

Mae rheoliadau 3, 4 a 12 yn diwygio darpariaethau sy'n ymwneud â'r Cyngor Llywodraethu. Mae'r diwygiadau yn lleihau'r cworwm ar gyfer cyfarfodydd y Cyngor Llywodraethu i dri, ac yn caniatáu i aelodau a benodir gan Weinidogion Cymru eistedd ar Banel Penodiadau pan fydd yn penodi Cadeiryddion a'r rheini nad ydynt yn Gadeiryddion i'w hethol fel cynrychiolwyr cenedlaethol.

Regulations 3, 4 and 12 amend provisions relating to the Governing Council. The amendments reduce the quorum for meetings of the Governing Council to three, and allow Welsh Minister appointed members to sit on an Appointments Panel when it is appointing Chairpersons and those who are not Chairpersons to be elected as national representatives.

Mae rheoliad 5 yn dileu'r cyfnod aelodaeth hwyaf o 10 mlynedd. Mae rheoliad 6 yn galluogi'r Panel Penodiadau i benodi aelodau am gyfnodau nad ydynt yn hwy na phum mlynedd ac yn egluro na fydd aelodaeth yn dod i ben ar ddiwedd cyfnod penodiad pan fydd y cyfnod hwnnw wedi ei ddilyn yn syth gan gyfnod arall o aelodaeth.

Regulation 5 removes the maximum 10-year period of membership. Regulation 6 enables the Appointments Panel to appoint members for periods not exceeding five years and clarifies that membership will not cease at the end of a period of appointment when it is followed immediately by a further period of membership.

Mae rheoliadau 7 i 11 yn diwygio trefniadau gweinyddol ar gyfer Apelau Treth Gyngor. Mae'r diwygiadau yn cadarnhau bod gwrandawriad yn cynnwys un a gynhelir naill ai'n gyfan gwbl neu'n rhannol drwy gyfathrebiad electronig dwyffordd, yn pennu y caiff y Tribiwnlys Prisio reoleiddio ei weithdrefn ei hun, ac yn diweddarau gofynion ar gyfer arddangos hysbysiadau.

Regulations 7 to 11 amend administrative arrangements for Council Tax Appeals. The amendments confirm that a hearing includes one which takes place either in whole or part by electronic two-way communication, specify that the Valuation Tribunal may regulate its own procedure, and update requirements for displaying of notices.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth yr Is-adran Diwygio Cyllid Llywodraeth Leol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

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 Local Government Finance Reform, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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**LLYWODRAETH LEOL,
CYMRU**

**LOCAL GOVERNMENT,
WALES**

**Rheoliadau Tribiwnlys Prasio
Cymru (Diwygio) 2023**

**The Valuation Tribunal for Wales
(Amendment) Regulations 2023**

Gwnaed 10 Gorffennaf 2023
Gosodwyd gerbron *Senedd*
Cymru 12 Gorffennaf 2023
Yn dod i rym 2 Awst 2023

Made 10 July 2023
Laid before Senedd Cymru 12 July 2023
Coming into force 2 August 2023

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 140(4) a 143(1) a (2) o Ddeddf Cyllid Llywodraeth Leol 1988(1), a pharagraffau 1, 5(1), 8(1), (2), (3) a (6) o Atodlen 11 iddi, yn gwneud y Rheoliadau a glyn.

The Welsh Ministers, in exercise of the powers conferred by sections 140(4) and 143(1) and (2) of, and paragraphs 1, 5(1), 8(1), (2), (3) and (6) of Schedule 11 to, the Local Government Finance Act 1988(1), make the following Regulations:

Enwi a dod i rym

1. Enw'r Rheoliadau hyn yw Rheoliadau Tribiwnlys Prasio Cymru (Diwygio) 2023 a deuant i rym ar 2 Awst 2023.

Title and coming into force

1. The title of these Regulations is the Valuation Tribunal for Wales (Amendment) Regulations 2023 and they come into force on 2 August 2023.

(1) 1988 p. 41. Diwygiwyd adran 143(2) o Ddeddf Cyllid Llywodraeth Leol 1988 gan adran 154(3)(a) o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021. Gwnaed diwygiadau perthnasol i Atodlen 11 i Ddeddf 1988 gan baragraffau 3, 4, 7 ac 11 o Atodlen 15 i Ddeddf Llywodraeth Leol a Chynnwys y Cyhoedd mewn Iechyd 2007 (p. 28). Mae diwygiadau eraill i Atodlen 11 nad ydynt yn berthnasol i'r Rheoliadau hyn. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 140(4) a 143(1) a (2), a pharagraffau 1, 5 ac 8 o Atodlen 11 i'r Ddeddf honno, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). Yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32) mae'r swyddogaethau hynny bellach wedi eu breinio yng Ngweinidogion Cymru.

(1) 1988 c. 41. Section 143(2) of the Local Government Finance Act 1988 was amended by section 154(3)(a) of the Local Government and Elections (Wales) Act 2021. Relevant amendments were made to Schedule 11 to the 1988 Act by paragraphs 3, 4, 7 and 11 of Schedule 15 to the Local Government and Public Involvement in Health Act 2007 (c. 28). There are other amendments to Schedule 11 that are not relevant to these Regulations. The functions of the Secretary of State under sections 140(4) and 143(1) and (2), and paragraphs 1, 5 and 8 of Schedule 11 to that Act were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). By virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32) those functions are now vested in the Welsh Ministers.

Diwygio Rheoliadau Tribiwnlys Prasio Cymru 2010

2. Mae Rheoliadau Tribiwnlys Prasio Cymru 2010(1) wedi eu diwygio yn unol â rheoliadau 3 i 12.

3. Yn rheoliad 5A (cworwm ar gyfer cyfarfod y Cyngor Llywodraethu), yn lle “pedwar” rhodder “tri”.

4. Yn rheoliad 8A (Panel Penodiadau'r Cyngor Llywodraethu), hepgorer paragraff (3).

5. Yn rheoliad 9 (nifer aelodau'r Tribiwnlys Prasio a'u penodiad), hepgorer paragraffau (5) a (6).

6. Yn rheoliad 10 (parhad aelodaeth o'r Tribiwnlys Prasio)—

- (a) ym mharagraff (1), ar ôl “gyfnod”, yn lle “o bum mlynedd” rhodder “sydd i'w bennu gan y Panel Penodiadau, ond heb fod yn hwy na phum mlynedd”;
- (b) ym mharagraff 2(a), yn lle “bum mlynedd” rhodder “benodiad a bennir o dan reoliad 10(1)”;
- (c) ar ôl paragraff (4) mewnosoder—

“(5) Ni fydd aelod yn peidio â bod yn aelod o'r Tribiwnlys Prasio at ddibenion rheoliadau 11(4)(b), 12(4)(a) a 13(5)(b) pan fo'r aelod, ar ddiwedd cyfnod penodiad o dan reoliad 10(1), yn cael ei benodi yn syth am gyfnod pellach o dan y rheoliad hwnnw.”

7. Yn rheoliad 27(1) (dehongli), yn y lle priodol yn nhrefn yr wyddor mewnosoder—

““mae i “cyfathrebiad electronig” yr ystyr a roddir i “electronic communication” yn adran 15(1) o Ddeddf Cyfathrebiadau Electronig 2000(2);”

““ystyr “gwrandawriad” (“*hearing*”) yw gwrandawriad llafar ac mae'n cynnwys gwrandawriad a gynhelir yn gyfan gwbl neu'n rhannol drwy gyswllt fideo, dros y ffôn neu drwy ddull arall o gyfathrebiadau electronig dwyffordd disymwth;”

8. Yn rheoliad 31 (trefniadau ar gyfer apelau), ar ôl paragraff (5) mewnosoder—

“(6) Yn ddarostyngedig i unrhyw ddarpariaeth arall yn y Rheoliadau hyn, caiff y Tribiwnlys Prasio reoleiddio ei weithdrefn ei hun.”

Amendments to the Valuation Tribunal for Wales Regulations 2010

2. The Valuation Tribunal for Wales Regulations 2010(1) are amended in accordance with regulations 3 to 12.

3. In regulation 5A (quorum for a meeting of the Governing Council), for “four” substitute “three”.

4. In regulation 8A (Appointments Panel of the Governing Council), omit paragraph (3).

5. In regulation 9 (number of Valuation Tribunal members and their appointment), omit paragraphs (5) and (6).

6. In regulation 10 (duration of membership of the Valuation Tribunal)—

- (a) in paragraph (1), after “period”, substitute “of” with “to be determined by the Appointments Panel, but not exceeding”;
- (b) in paragraph 2(a), for “five years” substitute “appointment determined under regulation 10(1)”;
- (c) after paragraph (4) insert—

“(5) A member will not cease to be a member of the Valuation Tribunal for the purposes of regulations 11(4)(b), 12(4)(a) and 13(5)(b) where at the end of a period of appointment under regulation 10(1), the member is immediately appointed for a further period under that regulation.”

7. In regulation 27(1) (interpretation), in the appropriate place in alphabetical order insert—

““electronic communication” (“*cyfathrebiad electronig*”) has the meaning given in section 15(1) of the Electronic Communications Act 2000(2);

““hearing” (“*gwrandawriad*”) means an oral hearing and includes a hearing conducted in whole or part by video link, telephone or other means of instantaneous two-way electronic communications;”

8. In regulation 31 (arrangements for appeals), after paragraph (5) insert—

“(6) Subject to any other provision in these Regulations, the Valuation Tribunal may regulate its own procedure.”

(1) O.S. 2010/713 (Cy. 69); yr offerynnau diwygio perthnasol yw O.S. 2013/547 (Cy. 59), O.S. 2014/554 (Cy. 66) ac O.S. 2017/941 (Cy. 234).

(2) 2000 p. 7, a ddiwygiwyd gan baragraff 158 o Atodlen 17 i Ddeddf Cyfathrebiadau 2003 (p. 21).

(1) S.I. 2010/713 (W. 69); relevant amending instruments are S.I. 2013/547 (W. 59), S.I. 2014/554 (W. 66) and S.I. 2017/941 (W. 234).

(2) 2000 c. 7, amended by paragraph 158 of Schedule 17 to the Communications Act 2003 (c. 21).

9. Yn rheoliad 34(2) (hysbysiad o wrandawriad)—
- (a) ar ddiwedd is-baragraff (a), hepgorer “neu”;
 - (b) ar ôl is-baragraff (b) mewnosoder—
“(c) yn swyddfa’r tribiwnlys prisio, neu
(d) ar wefan y tribiwnlys prisio.”

10. Yn rheoliad 34(3), ar ôl y gair “man” mewnosoder y geiriau “a’r wefan”.

11. Yn rheoliad 46(11), hepgorer paragraff (a).

12. Yn Atodlen 2 (gweithdrefn ethol)—

- (a) ym mharagraff 2, hepgorer “(ond yn ddarostyngedig i baragraff 12(a))”;
- (b) ar ddiwedd paragraff 12(a), hepgorer “—” a mewnosoder “yn aelod o’r Tribiwnlys Prisio;”;
- (c) hepgorer paragraff 12(a)(i) a (ii).

9. In regulation 34(2) (notice of hearing)—
- (a) at the end of sub-paragraph (a), omit “or”;
 - (b) after sub-paragraph (b) insert—
“(c) at the valuation tribunal’s office, or
(d) on the valuation tribunal website.”

10. In regulation 34(3), after the word “place” insert the words “and the website”.

11. In regulation 46(11), omit paragraph (a).

12. In Schedule 2 (election procedure)—

- (a) in paragraph 2, omit “(but subject to paragraph 12(a))”;
- (b) at the end of paragraph 12(a), omit “—” and insert “a member of the Valuation Tribunal;”;
- (c) omit paragraph 12(a)(i) and (ii).

Rebecca Evans

Y Gweinidog Cyllid a Llywodraeth Leol, un o
Weinidogion Cymru
10 Gorffennaf 2023

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Jeff James, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

Minister for Finance and Local Government, one of
the Welsh Ministers
10 July 2023

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