

NATIONAL ASSEMBLY FOR WALES

LEGISLATION COMMITTEE REPORT

The Non-Domestic Rating

(Alteration of Lists and Appeals) (Amendment)

(Wales) Regulations 2000

Background

The Non-Domestic Rating (Alteration of Lists and Appeals) Regulations 1993 contain provision for the alteration of non-domestic rating lists where proposals to this effect are submitted to a valuation officer. There is detailed provision as to the submission of proposals for alteration, the consideration of such proposals and the effective date of any alterations made in consequence thereof. There is similarly provision as to the procedure for dealing with disagreements arising, and for appeals to valuation tribunals.

The present Regulations amend the 1993 Regulations in respect of matters concerning the period within which proposals may be made to alter lists compiled in 1990, 1995 and 2000; the time from which an alteration is to have effect; corresponding amendment in relation to the central list; the evidence to be used by a valuation officer in appeal or arbitration proceedings; and the service of notices.

The 1993 Regulations apply in both Wales and England and the amendments which are now being made for Wales are paralleled by textual amendments for England, to the same effect.

In relation to Regulation 8(b) it was noted that the inserted paragraph (8C) provides for an alteration to have retrospective effect only if it is made in pursuance of "a proposal". This is in contrast to the inserted Regulation 13A(2)(b) (Regulation 9) which provides that where an alteration is not made in pursuance of "a proposal" it is to have effect from the first day of the financial year in which it was made. It has been confirmed that this difference is intentional. The underlying policy is that for old lists alterations should be finalised as soon as possible.

Standing Order 11.5

No points have been identified as matters in respect of which the Committee needs to invite

the Assembly to pay special attention under Standing Order 11.5.

Comments on the Regulations

Having had the opportunity of seeing an early draft of these Regulations, the legal advisers to the Committee were able to identify some small points which have now been covered in the version before the Committee.

There are thus no comments to be made save to note that if these Regulations are made under the urgency procedure the date of making should be inserted on the copy submitted to the Legislation Committee.

M. GERMAN OBE A.M.

Chair,

Legislation Committee

28 March 2000