



Ein cyf/Our ref: MA-RE-3052-23

Elin Jones MS
Llywydd
Senedd Cymru
Cardiff Bay
CF99 1SN

17 January 2024

Dear Elin,

THE NON-DOMESTIC RATING (MISCELLANEOUS AND CONSEQUENTIAL AMENDMENTS TO SECONDARY LEGISLATION) (WALES) REGULATIONS 2024

In accordance with section 11A(4) of the Statutory Instruments Act 1946, I am notifying you that this statutory instrument will come into force on 19 January, less than 21 days after it has been laid. A copy of the instrument and the Explanatory Memorandum that accompanies it are attached for your information.

This statutory instrument is made under the powers provided by sections 43(4B)(b), 44(9)(b) of, and paragraphs 1, 2(2)(a) and (ga) of Schedule 9 to, the Local Government Finance Act 1988 (“the 1988 Act”), paragraph 8(1) and (4)(b) of Schedule 1 to the Rating (Empty Properties) Act 2007(1), section 236(1) of the Localism Act 2011 and section 17(2) of the Non-Domestic Rating Act 2023 (“the 2023 Act”).

The Non-Domestic Rating Act 2023 (Consequential Amendments to Secondary Legislation) (Wales) Regulations 2023 (“the 2023 Regulations”) amended references to the 1988 Act in secondary legislation, as a consequence of changes introduced by the 2023 Act. Some of these amendments should have been expressed as having effect from financial years beginning on or after 1 April 2024, when relevant provisions in the 2023 Act (although already in force) will take effect. The Legislation, Justice and Constitution Committee raised this and other reporting points in their report on the 2023 Regulations and the Welsh Government confirmed that amending regulations would be made as soon as possible in response.

(1) 2007 c. 9. The power to make an order under paragraph 8(1) of the Rating (Empty Properties) Act 2007 may be exercised to make regulations by virtue of section 39 of the Legislation (Wales) Act 2019 (anaw 4).

The 2024 Regulations omit certain provisions in regulations 2 and 4, and regulation 5 of the 2023 Regulations and restates provisions in certain secondary legislation as they applied immediately before regulations 2, 4 and 5 came into force. It also makes amendments to secondary legislation in consequence to the 2023 Act. It is considered necessary to bring this statutory instrument into force as soon as possible, to address the issues raised by the Legislation, Justice and Constitution Committee and ensure the intended policy effect of the relevant secondary legislation is preserved.

I am copying this letter to the Minister for Rural Affairs, North Wales and Trefnydd, Huw Irranca-Davies MS, Chair of the Legislation, Justice and Constitution Committee, Peredur Owen Griffiths MS, Chair of the Finance Committee, Siwan Davies, Director of Senedd Business, Bethan Davies, Head of Chamber and Committee Services and Julian Luke, Head of Policy and Legislation Committee Service.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans". The signature is written in a cursive, flowing style.

Rebecca Evans AS/MS

Y Gweinidog Cyllid a Llywodraeth Leol
Minister for Finance and Local Government