

Explanatory Memorandum to the Valuation Tribunal for Wales (Wales) (Amendment) Regulations 2014.

This Explanatory Memorandum has been prepared by the Local Government Finance & Performance Division and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Valuation Tribunal for Wales (Wales) (Amendment) Regulations 2014. I am satisfied that the benefits outweigh any costs.

Lesley Griffiths

Minister for Local Government & Local Government Business

7 March 2014

Description

1. This statutory instrument amends the Valuation Tribunal for Wales (Wales) Regulations 2010 to reflect the introduction of the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 and the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 (the 2013 Regulations).

Matters of special interest to the Constitutional and Legislative Affairs Committee

2. There are no matters of special interest.

Legislative background

3. The Valuation Tribunal for Wales was established by the Valuation Tribunal for Wales Regulations 2010 (“the 2010 Regulations”) made under Part 2 of Schedule 11 to the Local Government Finance Act 1988.
4. The 2010 Regulations were amended by the Valuation Tribunal for Wales (Wales) (Amendment) Regulations 2013 to enable the Tribunal to hear appeals against decisions made by billing authorities in relation to council tax reduction schemes.
5. Paragraphs 1 and 8 of Schedule 11 to the Local Government Finance Act 1988 provide the powers for the making of regulations in connection with the procedure and other matters relating to valuation tribunals.
6. The relevant functions from the 1988 Act, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 and have now been transferred to the Welsh Ministers by virtue of section 162 and paragraph 30 of schedule 11 to the Government of Wales Act 2006.
7. The instrument is subject to the negative resolution procedure.

Purpose and intended effect of the legislation

8. The main purpose of this statutory instrument is to amend the Valuation Tribunal for Wales (Wales) (Amendment) Regulations 2010 to reflect the fact a new set of Council Tax Reduction Scheme Regulations will govern schemes operating from the 1 April 2014 onwards, by replacing references to the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012 with references to the 2013 Regulations
9. The statutory instrument also includes savings provisions which ensure that the amendments made do not have effect in respect of any applications to a Council Tax Reduction Scheme made or reductions awarded under the 2012 Regulations.
10. Minor amendments are also made to reflect new provisions in the 2013 Regulations which introduce a one-month time limit for applicants to request a

Local Authority to reconsider a decision in relation to a reduction. The amendments allow the Valuation Tribunal for Wales to dismiss cases where an applicant has not complied with the one month time limit for asking a local authority to reconsider a decision in respect of a reduction.

Consultation

11. No consultation has been undertaken in respect of this statutory instrument. However, the 2013 Regulations were consulted upon and this included reference to provisions relating to appeals.

Regulatory Impact Assessment (RIA)

12. No RIA has been prepared for this statutory instrument as it is considered that the instrument only facilitates technical and routine amendments. It has no major policy impact. A full RIA was undertaken for the 2013 Regulations.