

SL(5)275 – The Non-Domestic Rating (Multiplier) (Wales) (No. 2) Order 2018

Background and Purpose

This Order is made under paragraph 5(3) of Schedule 7 to the Local Government Finance Act 1988 (“the Act”).

In relation to Wales, the non-domestic rating multiplier is calculated in each financial year when new lists are not being compiled in accordance with paragraph 3B of Schedule 7 to the Act. 2019 is a year when new lists are not being compiled.

The formula in paragraph 3B of Schedule 7 to the Act includes an item B which is the retail prices index for September of the financial year preceding the year concerned, unless the Welsh Ministers exercise their power under paragraph 5(3) of Schedule 7 to the Act to specify, by Order, a different amount for item B. If the Welsh Ministers exercise that power in relation to a financial year, the different amount so specified must be lower than the retail prices index for September of the preceding financial year. The retail prices index for September of the preceding financial year is 284.1.

This Order specifies that for the financial year beginning on 1 April 2019 the amount for item B is 281.7.

Procedure

Affirmative.

Approval must be given before the Assembly approves the local government finance report for the financial year beginning on 1 April 2019.

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3(ii) in respect of this instrument, in that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Assembly.

1. The Order specifies 281.7 as B in the manner explained in the Explanatory Note. However, that number is not referred to at all in the Explanatory Memorandum, which is therefore unhelpful in explaining the effect of the Order.

Implications arising from exiting the European Union

None.



Government Response

Assembly lawyers have raised the reporting point with the drafting lawyer at Welsh Government and assurances have been given that the point will be addressed in subsequent orders.

Legal Advisers

Constitutional and Legislative Affairs Committee

13 November 2018

