



Local Government Finance (Wales) Act 2024

2024 asc 6

PART 2

COUNCIL TAX

Introduction

16 Overview of Part 2

- (1) This Part amends the Local Government Finance Act [1992 \(c. 14\)](#) (“the 1992 Act”), in relation to Wales, as follows.
- (2) Section 17 restates existing powers of the Welsh Ministers to amend valuation bands of dwellings, and also enables the Welsh Ministers to amend the valuation band used as an average in formulas applied under sections 36 and 47 of the 1992 Act used to calculate the amount of council tax that is payable.
- (3) Section 18(2) and (3) disapplies provisions in sections 6 and 9 of the 1992 Act about the persons who are exempt from being jointly and severally liable to pay council tax in respect of a chargeable dwelling, and replaces them with a power for the Welsh Ministers to prescribe by regulations which persons are to be exempt.
- (4) Section 18(4) and (5) disapplies provisions in section 11 of the 1992 Act for discounts (of percentages specified in section 11 or by order) to be applicable where there is only one resident of a chargeable dwelling (or only one who is not disregarded for the purpose of a discount), or where there is no resident (or all residents are disregarded), and replaces them with—
 - (a) provision for discounts (of amounts prescribed, or calculated in accordance with provision prescribed, by the Welsh Ministers in regulations) to apply where there is only one resident (or only one who is not disregarded for the purpose of a discount), or where all of a dwelling’s residents are disregarded,

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- (b) a power for the Welsh Ministers to provide by regulations that discounts apply where other criteria are met,
 - (c) a power for the Welsh Ministers to make provision about cases where more than one discount applies (including about how much council tax is payable), and
 - (d) a power for the Welsh Ministers to prescribe by regulations classes of dwelling for which a billing authority may determine that a lesser discount, or no discount, applies.
- (5) In consequence—
- (a) section 18(6) repeals section 12 of the 1992 Act, which related to the specific discount that applied where there was no resident, and which included a power for a billing authority to determine that (for classes of dwelling prescribed by the Welsh Ministers) a lesser discount, or no discount, applied;
 - (b) section 18(7) amends section 12A of the 1992 Act so that where a billing authority determines that the amount of council tax payable in respect of long-term empty dwellings is subject to a percentage increase, the authority will no longer disapply the (for Wales, repealed) no-resident discount, and will instead subtract any applicable discount after adding the percentage increase;
 - (c) section 18(8) amends section 12B of the 1992 Act (higher amount for dwellings occupied periodically) in the same ways as section 18(7) amends section 12A.
- (6) Section 18 also disapplies Schedule 1 to the 1992 Act (which, together with section 11(5), made provision about persons disregarded for the purposes of determining whether a discount applies), and replaces it with a power for the Welsh Ministers to prescribe by regulations who is disregarded for the purposes of discount.
- (7) Section 19—
- (a) changes the power in section 13 of the 1992 Act, that enables the Welsh Ministers to make regulations providing for persons liable to pay council tax to pay a reduced amount in some circumstances, into an obligation to make such regulations,
 - (b) repeals the power in section 13A for the Welsh Ministers to require a person or body to make a council tax reduction scheme and related provisions, and
 - (c) amends section 66(2) of the 1992 Act to add matters prescribed or provided for in accordance with subsection (1) or (2) of section 13 to a list of matters that may not be questioned except by an application for judicial review.
- (8) Section [] replaces the obligations on billing authorities in sections 12A, 12B and 38 of the 1992 Act to publish notices in a newspaper with an obligation to publish those notices electronically, and to make alternative arrangements for those unable to access notices electronically.
- (9) Section 20 changes section 22B of the 1992 Act so that the Welsh Ministers' power to specify the year when new valuation lists must be compiled for billing authorities in Wales cannot be exercised to specify a year later than 2029. It also introduces a requirement for such lists to be compiled in 2030 and every 5 years after that (although the years can be changed, by order, by the Welsh Ministers).

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Changes to valuation bands

17 Calculation of tax for different valuation bands

In section 5 of the 1992 Act—

- (a) in subsection (4)—
 - (i) after “the Secretary of State” insert “, in relation to England,”;
 - (ii) in paragraph (b), omit “or (3)”;
- (b) in subsection (4A), omit “or (3)”;
- (c) after subsection (4A), insert—

“(4B) The Welsh Ministers, in relation to Wales, may by order, as regards financial years beginning on or after such date as is specified in the order—

- (a) amend subsection (1A), so as to substitute another proportion for that which is for the time being effective for the purposes of subsection (1) above;
- (b) substitute other valuation bands for those which are for the time being effective for the purposes of subsection (3) above;
- (c) substitute another valuation band for that referred to in the meaning given to “D” in the formula in section 36(1);
- (d) substitute another valuation band for that referred to in the meaning given to “D” in the formula in section 47(1).

(4C) The power under subsection (4B)(b) above includes power to make provision for a different number of valuation bands from those which are for the time being effective for the purposes of subsection (3) above.”;

- (d) after subsection (5), insert—

“(5A) No order under subsection (4B) may be made unless a draft of the order has been laid before, and approved by a resolution of, Senedd Cymru.”

Changes to council tax payable

18 Discounts

(1) The 1992 Act is amended as follows.

(2) In section 6—

- (a) in subsection (4), for “for the purposes of discount by virtue of paragraph 2 (severely mentally impaired) or 4 (students etc.) of Schedule 1 to this Act” substitute “in accordance with subsection (4C)”;
- (b) omit subsections (4A) and (4B);
- (c) before subsection (5), insert—

“(4C) For the purposes of subsection (4), a person mentioned in subsection (3) falls to be disregarded if—

- (a) in relation to a chargeable dwelling in England, the person falls to be disregarded for the purposes of discount by virtue

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of paragraph 2 (severely mentally impaired) or 4 (students etc.) of Schedule 1 to this Act;

- (b) in relation to a chargeable dwelling in Wales, the person—
 - (i) falls to be disregarded for the purposes of discount by virtue of regulations made under section 11E(5), and
 - (ii) is also prescribed by the Welsh Ministers in regulations made under this paragraph as falling to be disregarded for the purposes of subsection (4).

(4D) A statutory instrument containing regulations made under subsection (4C)(b)(ii) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, Senedd Cymru.”

(3) In section 9—

- (a) in subsection (2), for “for the purposes of discount by virtue of paragraph 2 (the severely mentally impaired) or 4 (students etc.) of Schedule 1 to this Act” substitute “in accordance with subsection (2A)”;
- (b) for subsection (2A), substitute—

“(2A) For the purposes of subsection (2), a person mentioned in subsection (1) falls to be disregarded if—

- (a) in relation to a chargeable dwelling in England, the person falls to be disregarded for the purposes of discount by virtue of paragraph 2 (severely mentally impaired) or 4 (students etc.) of Schedule 1 to this Act;
- (b) in relation to a chargeable dwelling in Wales, the person falls to be disregarded for the purposes of section 6(4) (see subsection (4C) of that section).”

(4) In section 11—

- (a) in the heading, after “Discounts”, insert “: England”;
- (b) in subsection (1), after “any chargeable dwelling”, insert “in England”;
- (c) in subsection (2)—
 - (i) for “11C, 12, 12A and 12B”, substitute “and 11C”;
 - (ii) after “any chargeable dwelling”, insert “in England”;
- (d) in subsection (5), at the end, insert “in relation to any chargeable dwelling in England”.

(5) After section 11D, insert—

“11E Discounts: Wales

- (1) Where subsection (2) or (3) apply in respect of any chargeable dwelling in Wales and any day, the amount of council tax payable in respect of the dwelling for the day is subject to a discount of an amount prescribed, or calculated in accordance with provision prescribed, by the Welsh Ministers in regulations (but see also section 11F).
- (2) This subsection applies where, on the day concerned—
 - (a) any of the following criteria is met—

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- (i) there is only one resident of the dwelling and that resident does not fall to be disregarded for the purposes of discount,
 - (ii) there are two or more residents of the dwelling and each of them except one falls to be disregarded for the purposes of discount, or
 - (iii) there are one or more residents of the dwelling and each of them falls to be disregarded for the purposes of discount, and
 - (b) any further conditions prescribed by the Welsh Ministers in regulations are met.
- (3) This subsection applies where, on the day concerned, such other criteria as may be prescribed by the Welsh Ministers in regulations are met.
- (4) Regulations made under subsection (1) may—
 - (a) prescribe a different amount of discount, or different provision for calculating an amount of discount, in relation to different criteria (including in relation to any criteria prescribed in accordance with subsection (3));
 - (b) make provision about cases where more than one discount applies (including, but not limited to, making provision about the amount of council tax that is payable).
- (5) For the purpose of subsection (2), a person falls to be disregarded for the purposes of discount if the person is of a description prescribed by the Welsh Ministers in regulations.
- (6) Regulations made under subsection (2)(b) or (3) may prescribe conditions or criteria (as the case may be) by reference to—
 - (a) the type or physical characteristics of, or other matters relating to, dwellings;
 - (b) the circumstances of, or other matters relating to, any person who is liable to the amount of council tax concerned.
- (7) Any statutory instrument containing regulations made under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, Senedd Cymru.

11F Discounts: Wales (less discount or no discount)

- (1) Where council tax payable in respect of any chargeable dwelling in Wales and any day is subject to a discount because section 11E(1) applies, the Welsh Ministers may for any financial year by regulations prescribe classes of dwelling in relation to which the amount of the discount is subject to any determination made in accordance with subsection (2).
- (2) For any financial year, a billing authority in Wales may determine in relation to its area, or such part of its area as it may specify, that the discount in relation to a class of dwellings prescribed—
 - (a) does not apply, or
 - (b) is less than the amount of discount prescribed or calculated under section 11E(1).
- (3) A class of dwellings may be prescribed under subsection (1) by reference to—

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- (a) the type or physical characteristics of, or other matters relating to, dwellings;
 - (b) the circumstances of, or other matters relating to, any person who is liable to the amount of council tax concerned.
 - (4) A billing authority may vary or revoke a determination for a financial year, but only before the beginning of that year.
 - (5) A billing authority that makes a determination under this section must, before the end of the period of 21 days beginning with the day the determination is made—
 - (a) publish a notice of the determination electronically, and
 - (b) make arrangements for members of the public who would otherwise not be able to access that notice to do so.
 - (6) The validity of a determination is not affected by a failure to comply with subsection (5).
 - (7) Any statutory instrument containing regulations made under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, Senedd Cymru.”
- (6) Omit section 12.
- (7) In section 12A—
- (a) for subsection (1), substitute—
 - “(1) For any financial year, a billing authority in Wales may determine in relation to its area, or such part of its area as it may specify, that if on any day a dwelling is a long-term empty dwelling the amount of council tax payable in respect of the dwelling and the day is increased by such percentage of not more than 300 as it may specify in the determination.
 - (1A) Where a determination is made in accordance with subsection (1) and a discount applies, the authority must calculate the amount of council tax payable by first adding the percentage increase mentioned in subsection (1) and then subtracting the discount.”;
 - (b) omit subsection (6).
- (8) In section 12B—
- (a) for subsection (1) substitute—
 - “(1) For any financial year, a billing authority in Wales may determine in relation to its area, or such part of its area as it may specify, that if on any day the conditions mentioned in subsection (2) are satisfied in respect of a dwelling the amount of council tax payable in respect of the dwelling and the day is increased by such percentage of not more than 300 as it may specify in the determination.
 - (1A) Where a determination is made in accordance with subsection (1) and a discount applies, the authority must calculate the amount of council tax payable by first adding the percentage increase mentioned in subsection (1) and then subtracting the discount.”;
 - (b) omit subsection (7).

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- (9) In section 66, for “12”, substitute “11F”.
- (10) In section 67, for “12”, substitute “11F”.
- (11) In Schedule 1—
 - (a) in the heading, after “Discount”, insert “: England”;
 - (b) omit paragraph 12.

19 Reduced amounts

- (1) The 1992 Act is amended as follows.
- (2) In section 13—
 - (a) in subsection (1), after “may” insert “, in relation to England, and the Welsh Ministers must, in relation to Wales,”;
 - (b) in subsection (3), for “12” substitute “11E, 11F”;
 - (c) in subsection (4), after “thinks” insert “, or the Welsh Ministers think,”;
 - (d) in subsection (7), after “thinks” insert “, or the Welsh Ministers think,”;
 - (e) in subsection (8)—
 - (i) in paragraph (a), after “billing authority” insert “in England”;
 - (ii) after paragraph (b), insert—
 - “(ba) provision requiring the Welsh Ministers to specify in a report, for the purposes of the regulations, an amount in relation to each billing authority in Wales;
 - (bb) provision requiring the Welsh Ministers to lay that report before Senedd Cymru,”;
 - (f) after subsection (10), insert—
 - “(11) The Welsh Ministers may issue guidance about how a billing authority is to give effect to regulations made by them under this section.
 - (12) A billing authority in Wales must have regard to guidance issued under subsection (11).”
- (3) In section 13A—
 - (a) in subsection (1)—
 - (i) omit paragraph (b);
 - (ii) in paragraph (c), for “(b)” substitute “pursuant to regulations made by the Welsh Ministers under section 13”.
 - (b) omit subsections (4), (5) and (8);
 - (c) in subsection (9), omit “or regulations under subsection (4)”.
- (4) In section 32—
 - (a) in subsection (3)(a), omit “its council tax reduction scheme,”;
 - (b) in subsection (12), omit paragraph (c).
- (5) In section 33—
 - (a) in subsection (1), in the definition of “P”, omit “its council tax reductions scheme,”;
 - (b) in subsection (1A), omit sub-paragraph (iii).

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- (6) In section 66, in subsection (2), after paragraph (b), insert—
- “(bza) a matter prescribed, or provided for, in accordance with subsections (1) or (2) of section 13, in regulations made by the Welsh Ministers under that section;”.
- (7) Omit Schedule 1B.

Valuation of dwellings

20 Procedure for the compilation of valuation lists

- (1) In section 22B of the 1992 Act—
- (a) in subsection (3), after “the Welsh Ministers” insert “, but an order under this subsection cannot specify a year later than 2027”;
- (b) after subsection (3), insert—
- “(3A) After that, a new list must be compiled, in relation to billing authorities in Wales, on 1 April in each revaluation year.
- (3B) Revaluation years are 2028 and every fifth year afterwards.
- (3C) The Welsh Ministers may by order amend subsection (3B) so as to—
- (a) substitute a different year for the year that is for the time being specified as the revaluation year;
- (b) insert a reference to a different year from the year that would otherwise be the revaluation year;
- (c) substitute a different interval between revaluation years for the interval that is for the time being specified there;
- (d) make other amendments to subsection (3B) that are consequential on, or incidental to, the amendments made under paragraph (a), (b) or (c).”;
- (c) in subsection (7), for “this section” substitute “subsection (1A), (2) or (3)”;
- (d) after subsection (7), insert—
- “(7A) Where a list is to be compiled under subsection (3A), the listing officer for a billing authority must send the authority a copy of the list proposed to be compiled (based on the information held at the time by the listing officer)—
- (a) by such date as the Welsh Ministers may specify, by order, in relation to a specific list or in relation to lists generally, or
- (b) no later than the 1 September before the date on which the list is to be compiled, if no such order applies to that list.”;
- (e) after subsection (8), insert—
- “(8A) A billing authority must keep a copy list received under subsection (7A) electronically and must, as soon as reasonably practicable, take such steps as it thinks most suitable for giving notice of it.”;
- (f) in subsection (10), after “billing authority” insert “in England”;
- (g) after subsection (10), insert—

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- “(10A) As soon as reasonably practicable after receiving a copy list under subsection (9) above, a billing authority in Wales must—
- (a) deposit it at its principal office, if it is a copy of a list compiled under subsection (3);
 - (b) keep a copy electronically, if it is a copy of a list compiled under subsection (3A).”;
- (h) for subsection (12), substitute—
- “(12) No order under subsection (3) or (3C) may be made unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, Senedd Cymru.
- (13) A statutory instrument containing an order under subsection (7A) is subject to annulment in pursuance of a resolution of Senedd Cymru.”
- (2) In section 24 of the 1992 Act—
- (a) in subsection (9), for “or 22B(10)” substitute “, 22B(10) or 22B(10A)(a)”;
 - (b) after subsection (9), insert—
- “(9A) The regulations may include provision that where—
- (a) the listing officer for a billing authority has informed the authority of an alteration of the list; and
 - (b) the authority keeps the copy list electronically under section 22B(10A)(b),
- the authority must alter the copy accordingly.”
- (3) In section 28 of the 1992 Act—
- (a) in subsection (2)(a), for “or 22B(10)” substitute “, 22B(10) or 22B(10A)(a)”;
 - (b) after subsection (2), insert—
- “(2A) A person may require a billing authority to give them access to such information as will enable that person to establish what is the state of a copy of a list, or has been its state at any time while it has been kept electronically, if—
- (a) the authority keeps the copy list electronically under section 22B(10A)(b); and
 - (b) the list is in force or has been in force at any time in the preceding five years.”;
- (c) after subsection (3), insert—
- “(3A) A person may require a billing authority to give them access to such information as will enable that person to establish what is the state of a copy of a proposed list if—
- (a) the authority keeps the copy list electronically under section 22B(8A); and
 - (b) the list itself is not yet in force.”;
- (d) in subsection (4), for “or (3)” substitute “, (2A), (3) or (3A)”;
(e) in subsection (8)(a), for “(3)” substitute “(2A), (3), (3A)”.
- (4) In paragraph 8 of Schedule 2 to the 1992 Act, in sub-paragraphs (1), (2)(a) and (3)(a), after “22B(7)” insert “, 22B(7A)”.