

*Draft Order laid before Parliament under section 143(8) of the Local Government Finance Act 1988
for approval by resolution of each House of Parliament.*

DRAFT STATUTORY INSTRUMENTS

2000 No.

RATING AND VALUATION, ENGLAND

The Gas Industry (Rateable Values) (England) Order 2000

<i>Made</i>	- - - -	<i>2000</i>
<i>Coming into force</i>		
<i>for all purposes other than those of article 4</i>		<i>2000</i>
<i>for the purposes of article 4</i>		<i>1st April 2000</i>

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred on him by sections 143(1) and (2) of, and paragraph 3(2) of Schedule 6 to, the Local Government Finance Act 1988(1), hereby makes the following Order, a draft of which has been laid before, and approved by resolution of, each House of Parliament:

Citation, commencement and extent

1. This Order, which extends to England only, may be cited as the Gas Industry (Rateable Values) (England) Order 2000 and shall come into force—

- (a) for all purposes other than those of article 4, on the day after the day on which it is made;
and
- (b) for the purposes of article 4, on 1st April 2000.

Interpretation

2. In this Order—

“the Act” means the Local Government Finance Act 1988;

“BG Transco plc” means the company bearing that name on 1st January 2000;

(1) 1988 c. 41. Section 143(2) is amended by paragraph 72(2) of Schedule 5 to the Local Government and Housing Act 1989 (c. 42). Paragraph 3 of Schedule 6 is amended by paragraph 38(12) and (13) of Schedule 5 to the 1989 Act and by section 2 of the Local Government and Rating Act 1997 (c. 29). See section 146(6) of the 1988 Act for the definition of “prescribed”. These powers are devolved, in relation to Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672); see the reference to the Local Government Finance Act 1988 in Schedule 1.

“the central list” means the central non-domestic rating list for England⁽²⁾;
“year” means a chargeable financial year.

Rateable values

3. In the case of the class of non-domestic hereditaments occupied (or, if not occupied, owned) by BG Transco plc and required by virtue of regulation 4 of and Part 3 of the Schedule to the Central Rating Lists (England) Regulations 2000⁽³⁾ to be shown in the central list, paragraphs 2 to 2C of Schedule 6 of the Act⁽⁴⁾ shall not apply in any year for which the central list compiled on 1st April 2000 has effect, and the rateable value of that class of hereditaments in any year during which that central list is in force shall be £430,454,000.

Revocations and savings

4.—(1) Subject to paragraph (2), the following are hereby revoked—

- (a) the British Gas plc (Rateable Values) Order 1994⁽⁵⁾
- (b) the Gas Act 1995 (Rateable Values) (Modification) Order 1997⁽⁶⁾; and
- (c) the British Gas plc (Rateable Values) (Amendment) Order 1997⁽⁷⁾

(2) Without prejudice to section 16(1) of the Interpretation Act 1978⁽⁸⁾, the provisions of the Orders mentioned in paragraph (1) shall continue to have effect for the purposes of, and for purposes connected with—

- (a) any alteration of a central list compiled before 1st April 2000; or
- (b) any provision made by regulations under section 58⁽⁹⁾ (special provision for 1995 onwards) of the Act as to the chargeable amount as regards a hereditament for a relevant period as defined in that section.

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

Minister of State,
Department of the Environment, Transport and
the Regions

2000

(2) The Central List is compiled under section 52 of the Local Government Finance Act 1988 and the Central Rating Lists (England) Regulations 2000; S.I.2000/ .

(3) S.I. 2000/ . Regulation 4 is made under section 53(2) of the Local Government Finance Act 1988.

(4) Paragraph 2 is amended by, and paragraphs 2A and 2B are inserted by, paragraph 38(3) to (11) of Schedule 5 to the Local Government and Housing Act 1989. Paragraph 2C is inserted by section 2 of the Local Government and Rating Act 1997 (c. 29).

(5) S.I. 1994/3283, amended by S.I. 1997/224 and S.I. 1997/961.

(6) S.I. 1997/224, made under paragraph 12 of Schedule 5 to the Gas Act 1995 (c. 45).

(7) S.I. 1997/961.

(8) 1978 c. 30.

(9) Section 58 is amended by paragraph 68 of Schedule 13 to the Local Government Act 1992 (c. 14), section 2 of the Non-Domestic Rating Act 1994 (c. 3) and section 1 of the Local Government and Rating Act 1997 (c. 29). Regulations under section 58 are S.I. 1994/3279, 1995/961, 1678 and 3322, 1996/911 and 3214/1997/960 and 3017, 1999/3379 and 2000/ .

EXPLANATORY NOTE

(This note is not part of the Order)

Under paragraph 3(2) of Schedule 6 to the Local Government Finance Act 1988, the Secretary of State may by order provide that a non-domestic hereditament of a description shown in a central rating list is not to be valued for non-domestic rating on the basis set out in paragraphs 2 to 2C of that Schedule (that is to say, by reference to the rent a hypothetical tenant would pay for the hereditament on an annual basis), but that their rateable values shall be such as are specified in the order or determined in accordance with prescribed rules.

Article 3 prescribes the rateable value of the class of centrally listed hereditaments occupied or owned by BG Transco plc (formerly known as British Gas plc) for the period during which the central rating list compiled on 1st April 2000 has effect.

Article 4 of this order revokes, subject to certain savings, with effect from 1st April 2000, the British Gas (Rateable Values) Order 1994, which (as amended) applied in respect of years commencing on or after 1st April 1995.

This Order extends to England only.