
WELSH STATUTORY INSTRUMENTS

2023 No. 775 (W. 121)

LOCAL GOVERNMENT, WALES

**The Valuation Tribunal for Wales
(Amendment) Regulations 2023**

<i>Made</i>	- - - -	<i>10 July 2023</i>
<i>Laid before Senedd Cymru</i>		<i>12 July 2023</i>
<i>Coming into force</i>	- -	<i>2 August 2023</i>

The Welsh Ministers, in exercise of the powers conferred by sections 140(4) and 143(1) and (2) of, and paragraphs 1, 5(1), 8(1), (2), (3) and (6) of Schedule 11 to, the Local Government Finance Act 1988(1), make the following Regulations:

Title and coming into force

1. The title of these Regulations is the Valuation Tribunal for Wales (Amendment) Regulations 2023 and they come into force on 2 August 2023.

Amendments to the Valuation Tribunal for Wales Regulations 2010

2. The Valuation Tribunal for Wales Regulations 2010(2) are amended in accordance with regulations 3 to 12.

3. In regulation 5A (quorum for a meeting of the Governing Council), for “four” substitute “three”.

4. In regulation 8A (Appointments Panel of the Governing Council), omit paragraph (3).

5. In regulation 9 (number of Valuation Tribunal members and their appointment), omit paragraphs (5) and (6).

6. In regulation 10 (duration of membership of the Valuation Tribunal)—

(1) 1988 c. 41. Section 143(2) of the Local Government Finance Act 1988 was amended by section 154(3)(a) of the Local Government and Elections (Wales) Act 2021. Relevant amendments were made to Schedule 11 to the 1988 Act by paragraphs 3, 4, 7 and 11 of Schedule 15 to the Local Government and Public Involvement in Health Act 2007 (c. 28). There are other amendments to Schedule 11 that are not relevant to these Regulations. The functions of the Secretary of State under sections 140(4) and 143(1) and (2), and paragraphs 1, 5 and 8 of Schedule 11 to that Act were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). By virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32) those functions are now vested in the Welsh Ministers.

(2) S.I. 2010/713 (W. 69); relevant amending instruments are S.I. 2013/547 (W. 59), S.I. 2014/554 (W. 66) and S.I. 2017/941 (W. 234).

- (a) in paragraph (1), after “period”, substitute “of” with “to be determined by the Appointments Panel, but not exceeding”;
- (b) in paragraph 2(a), for “five years” substitute “appointment determined under regulation 10(1)”;
- (c) after paragraph (4) insert—
 - “(5) A member will not cease to be a member of the Valuation Tribunal for the purposes of regulations 11(4)(b), 12(4)(a) and 13(5)(b) where at the end of a period of appointment under regulation 10(1), the member is immediately appointed for a further period under that regulation.”
- 7. In regulation 27(1) (interpretation), in the appropriate place in alphabetical order insert—
 - ““electronic communication” (“*cyfathrebiad electronig*”) has the meaning given in section 15(1) of the Electronic Communications Act 2000(3)
 - ““hearing” (“*gwrandawriad*”) means an oral hearing and includes a hearing conducted in whole or part by video link, telephone or other means of instantaneous two-way electronic communications;”
- 8. In regulation 31 (arrangements for appeals), after paragraph (5) insert—
 - “(6) Subject to any other provision in these Regulations, the Valuation Tribunal may regulate its own procedure.”
- 9. In regulation 34(2) (notice of hearing)—
 - (a) at the end of sub-paragraph (a), omit “or”;
 - (b) after sub-paragraph (b) insert—
 - “(c) at the valuation tribunal’s office, or
 - (d) on the valuation tribunal website.”
- 10. In regulation 34(3), after the word “place” insert the words “and the website”.
- 11. In regulation 46(11), omit paragraph (a).
- 12. In Schedule 2 (election procedure)—
 - (a) in paragraph 2, omit “(but subject to paragraph 12(a))”;
 - (b) at the end of paragraph 12(a), omit “—” and insert “a member of the Valuation Tribunal;”;
 - (c) omit paragraph 12(a)(i) and (ii).

10 July 2023

Rebecca Evans
Minister for Finance and Local Government, one
of the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Valuation Tribunal for Wales Regulations 2010 (“the 2010 Regulations”).

Regulations 3, 4 and 12 amend provisions relating to the Governing Council. The amendments reduce the quorum for meetings of the Governing Council to three, and allow Welsh Minister appointed members to sit on an Appointments Panel when it is appointing Chairpersons and those who are not Chairpersons to be elected as national representatives.

Regulation 5 removes the maximum 10-year period of membership. Regulation 6 enables the Appointments Panel to appoint members for periods not exceeding five years and clarifies that membership will not cease at the end of a period of appointment when it is followed immediately by a further period of membership.

Regulations 7 to 11 amend administrative arrangements for Council Tax Appeals. The amendments confirm that a hearing includes one which takes place either in whole or part by electronic two-way communication, specify that the Valuation Tribunal may regulate its own procedure, and update requirements for displaying of notices.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from Local Government Finance Reform, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.