
SCOTTISH STATUTORY INSTRUMENTS

2003 No. 160

**The Non-Domestic Rates (Levyng)
(Scotland) Regulations 2003**

PART III

MERGERS, SPLITS AND REORGANISATIONS AFTER 31ST MARCH 2003

Application of Part III

11.—(1) Where, subsequent to 31st March 2003, lands and heritages are shown in a merged, split or reorganised entry with effect from a day in the relevant year (the “effective day”), this Part shall, subject to paragraph (2) below, apply to those lands and heritages as from that effective day.

(2) This Part shall not apply to lands and heritages shown—

(a) in a merged or reorganised entry, if that entry does not show (in whole or in part) any lands and heritages in respect of which—

- (i) regulation 7 of the 2002 Regulations;
- (ii) Part III of those Regulations;
- (iii) regulation 7 above; or
- (iv) this Part,

applied as regards the day immediately prior to the effective day of that entry;

(b) in a split entry, if none of the provisions referred to in sub-paragraph (a) above or this Part applied in respect of the lands and heritages shown in the relevant old entry and the day immediately prior to the effective date of the split entry.

Mergers and reorganisations-amount payable as rates

12.—(1) Where lands and heritages to which this Part applies are shown in a merged or reorganised entry, the amount payable as rates in respect of those lands and heritages and a day in the relevant year shall, subject to regulation 14 and Parts IV and VI below, be calculated in accordance with the formula—

$$TAL \times \frac{RV}{TORV}$$

where—

TAL is the total of the applicable liabilities in respect of each relevant old entry, ascertained in accordance with paragraph (2) below;

RV is the rateable value shown in the merged or reorganised entry; and

TORV is the total old rateable value, being the total of the rateable values shown in the relevant old entries.

(2) For the purpose of paragraph (1) above, the applicable liability in respect of an old entry is—

- (a) where regulation 7 above applies in respect of the lands and heritages shown in that entry and the day immediately prior to the effective day of the merged or reorganised entry, the amount determined under the applicable paragraph (before application of Parts IV and VI below);
- (b) where this Part applies in respect of those lands and heritages and that day, the amount determined under this Part (before application of Parts IV and VI below); and
- (c) in any other case, the amount calculated in accordance with the formula—

$$\frac{RV \times PF}{366}$$

where—

RV is the rateable value shown in the old entry; and

PF has the same meaning as in regulation 9(1) above.

Splits – amount payable as rates

13. Where lands and heritages to which this Part applies are shown in a split entry, the amount payable as rates in respect of those lands and heritages and a day in the relevant year shall, subject to regulation 14 and Parts IV and VI below, be calculated in accordance with the formula—

$$AD \times \frac{RV}{ORV}$$

where—

AD is the amount determined under regulation 7 above, or as the case may be this Part (before application of Parts IV and VI below) in respect of the lands and heritages shown in the relevant old entry and the day immediately prior to the effective date of the split entry;

RV is the rateable value shown in the split entry; and

ORV is the old rateable value, being the rateable value shown in the relevant old entry.

Changes in rateable value

14.—(1) Where, subsequent to 1st April 2003, the rateable value of lands and heritages to which this Part applies is increased with effect from a day in the relevant year, the amount payable as rates in respect of those lands and heritages and any day in the relevant year on or after that effective day shall, subject to Parts IV and VI below, be calculated in accordance with the formula—

$$AD + \frac{(IRV - RV) \times PF}{366}$$

where—

AD is the amount determined under regulation 12(1) or 13 above (before application of Parts IV and VI below) in respect of those lands and heritages and the day immediately prior to the effective day;

IRV is the increased rateable value of those lands and heritages;

RV is their rateable value immediately prior to the effective day; and

PF has the same meaning as in regulation 9(1) above.

(2) Where the rateable value of lands and heritages to which this Part applies is reduced with effect from a day in the relevant year, the amount payable as rates in respect of those lands and

heritages and any day in the relevant year on or after that effective day shall, subject to Parts IV and VI below, be calculated in accordance with the formula—

$$AD = \frac{RRV}{RV}$$

where—

AD and RV have the same meanings as in paragraph (1) above; and

RRV is the reduced rateable value of those lands and heritages.

(3) Where the rateable value of lands and heritages is changed for a second or subsequent time whilst this Part applies to them, paragraphs (1) and (2) above shall have effect with the substitution, in the definition of “AD” in paragraph (1), for the words “regulation 12(1) or 13 above” of the words “this paragraph or paragraph (2) below”.