

Draft Regulations laid before Parliament under subsections (7B), (7D) and (7F) of section 143 of the Local Government Finance Act 1988, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2023 No. 0000

RATING AND VALUATION, ENGLAND

The Local Government Finance Act 1988 (Prescription of Non-Domestic Rating Multipliers) (England) Regulations 2023

*Made - - - - - ***
Coming into force in accordance with paragraph 1(3)*

The Treasury make these Regulations in exercise of the powers conferred by sub-paragraphs (9)(a) and (10)(a) of paragraph 10 of Schedule 4ZA, sub-paragraphs (6)(a) and (7)(a) of paragraph 3 of Schedule 4ZB, and sub-paragraphs (8)(a) and (9)(a) of paragraph 6 of Schedule 5A, to the Local Government Finance Act 1988(1).

A draft of these Regulations was laid before Parliament in accordance with subsections (7B), (7D) and (7F) of section 143 of the Local Government Finance Act 1988(2) and approved by resolution of each House of Parliament.

Citation, extent, application and commencement

1.—(1) These Regulations may be cited as the Local Government Finance Act 1988 (Prescription of Non-Domestic Rating Multipliers) (England) Regulations 2023.

(2) These Regulations extend to England and Wales and apply in relation to England only.

(3) These Regulations come into force on the day after the day on which they are made.

Local rating: occupied hereditaments

2.—(1) For the purposes of the provisions mentioned in paragraph (2)—

(a) M(3) is prescribed as D for any chargeable day(4) for which A is not more than £50,999, but

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- (1) 1988 c. 41. Schedules 4ZA, 4ZB and 5A were inserted into the Local Government Finance Act 1988 by sections 1(3), 2(4) and 3(3) of the Non-Domestic Rating Act 2023 (c. 53). Those Schedules have effect in relation to financial years beginning on or after 1st April 2024; see section 19(2)(a) of the Non-Domestic Rating Act 2023.
- (2) Subsections (7B), (7D) and (7F) of section 143 were inserted into the Local Government Finance Act 1988 by paragraph 8(c) of the Schedule to the Non-Domestic Rating Act 2023. Those amendments have effect in relation to financial years beginning on or after 1st April 2024; see section 19(2)(b) of the Non-Domestic Rating Act 2023.
- (3) The terms A, B, D and M are defined in paragraph 10(2), (3), (5) and (9) of Schedule 4ZA to the Local Government Finance Act 1988.

(b) in any other case M is prescribed as B.

(2) The provisions are paragraphs 1(a) (chargeable amount before any reliefs), 2(1)(a) (charitable rate relief) and 3 (improvement rate relief) of Schedule 4ZA to the Local Government Finance Act 1988.

Local rating: unoccupied hereditaments

3.—(1) For the purposes of the provisions mentioned in paragraph (2)—

(a) M(5) is prescribed as D for any chargeable day(6) for which A is not more than £50,999, but

(b) in any other case M is prescribed as B.

(2) The provisions are paragraphs 1(1)(a) and 1(2)(a) (chargeable amount before any reliefs) of Schedule 4ZB to the Local Government Finance Act 1988.

Central rating

4.—(1) For the purposes of the provisions mentioned in paragraph (2)—

(a) M(7) is prescribed as D for any chargeable day(8) for which A is not more than £50,999, but

(b) in any other case M is prescribed as B.

(2) The provisions are paragraphs 1(a) (chargeable amount before any reliefs), 2(4)(a) (charitable rate relief), 3 (improvement rate relief) and 4(4) (unoccupied hereditaments rate relief) of Schedule 5A to the Local Government Finance Act 1988.

Date

Name
Name
Two of the Lords Commissioners of His
Majesty's Treasury

(4) The term chargeable day is defined in section 43(3) of the Local Government Finance Act 1988.
(5) The terms A, B, D and M are defined in paragraph 3(2), (3), (5) and (6) of Schedule 4ZB to the Local Government Finance Act 1988.
(6) The term chargeable day is defined in section 45(3) of the Local Government Finance Act 1988.
(7) The terms A, B, D and M are defined in paragraph 6(2), (3), (5) and (8) of Schedule 5A to the Local Government Finance Act 1988.
(8) The term chargeable day is defined in section 54(3) of the Local Government Finance Act 1988.

EXPLANATORY NOTE

(This note is not part of the Regulations)

In relation to England, a ratepayer's liability to a non-domestic rate as regards a property is determined in accordance with the Local Government Finance Act 1988 (c. 41) ("the Act"). Liability as regards occupied local rating properties, unoccupied local rating properties and central rating is determined in accordance with formulae in Schedules 4ZA, 4ZB and 5A to the Act.

For the purposes of particular provisions in those Schedules, the Treasury have power to prescribe in regulations whether the non-domestic rating multiplier or the small business non-domestic rating multiplier is used in the formulae.

For the provisions mentioned in regulations 2(2) (local rating: occupied hereditaments), 3(2) (local rating: unoccupied hereditaments) and 4(2) (central rating), these Regulations provide that the small business non-domestic rating multiplier is to apply if the applicable rateable value is not more than £50,999, but otherwise the non-domestic rating multiplier will apply.

An impact assessment has not been produced for this instrument because it amends an existing local tax regime. Publication of a full impact assessment is not necessary for such legislation.