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STATUTORY INSTRUMENTS

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**1995 No. 284**

**RATING AND VALUATION**

**The Non-Domestic Rating (Demand Notices)  
(Wales) (Amendment) Regulations 1995**

<i>Made</i>	- - - -	<i>8th February 1995</i>
<i>Laid before Parliament</i>		<i>9th February 1995</i>
<i>Coming into force</i>	- -	<i>2nd March 1995</i>

The Secretary of State for Wales, in exercise of the powers conferred upon him by sections 140(4), 143(1) and (2) and 146(6) of, and paragraphs 1, 2(2) and 6A(1) of Schedule 9 to, the Local Government Finance Act 1988<sup>(1)</sup>, section 26(3) of the Welsh Language Act 1993<sup>(2)</sup>, and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Non-Domestic Rating (Demand Notices) (Wales) (Amendment) Regulations 1995 and shall come into force on 2nd March 1995.

(2) In these Regulations—

“the principal Regulations” means the Non-Domestic Rating (Demand Notices) (Wales) Regulations 1993<sup>(3)</sup>; and

“new police authority” means a police authority established under section 3 of the Police Act 1964<sup>(4)</sup>.

**Amendments of the principal Regulations**

2.—(1) The principal Regulations shall be amended in accordance with the following paragraphs.

(2) In regulation 2 (interpretation)—

(a) in the definition of “the major precepting authority”, for the words after “means” there shall be substituted—

“(a) the county council, and

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(1) 1988 c. 41. Paragraph 2(2) of Schedule 9 was amended by the Local Government and Housing Act 1989, Schedule 5, paragraph 44, and paragraph 6A of Schedule 9 was inserted by the Local Government Finance Act 1992, Schedule 13, paragraph 87.

(2) 1993 c. 38.

(3) S.I.1993/252.

(4) 1964 c. 48. Section 3 was substituted by section 2 of the Police and Magistrates' Courts Act 1994 (c. 29).

(b) the new police authority,

which has power to issue a precept to the billing authority;”

(b) after the definition of “the major precepting authority” there shall be inserted—

““new police authority” means a police authority established under section 3 of the Police Act 1964; and”.

(3) In paragraph 5(b) of Schedule 1, for the words from “paragraph 9” to the words “Regulations 1990”, there shall be substituted—

“regulation 10 of, or Schedule 2 to, the Non-Domestic Rating (Chargeable Amounts) Regulations 1994”(5).

(4) In paragraph 1 of Part I of Schedule 2, for the words “county councils” in the note headed “Non-Domestic Rates” there shall be substituted “county councils and new police authorities”.

(5) In paragraph 1 of Part I of Schedule 2, for the first sentence of the note headed “Rateable Value” there shall be substituted the following—

“The rateable value of non-domestic property is fixed in most cases by an independent valuation officer of the Valuation Office Agency. All non-domestic property is revalued every 5 years. From 1st April 1995, the rateable value of a property represents its annual open market rental value as at 1st April 1993.”.

(6) In paragraph 1 of Part I of Schedule 2, in the note which follows the heading “National Non-Domestic Rating Multiplier”, for the words “and cannot” there shall be substituted the words “and except in a revaluation year cannot”.

(7) In paragraph 1 of Part I of Schedule 2, for the note headed “Transitional Relief” there shall be substituted the following—

**“Transitional arrangements**

Transitional arrangements will phase in the effect of significant changes in liability which arise from the 1995 revaluation of non-domestic property. Where appropriate, these arrangements will operate until March 2000 (when all non-domestic property will be revalued again). There are limits on the percentage by which bills may increase or decrease each year. Special rules deal with changes in rateable value and the merger or splitting of existing properties. Further information about transitional arrangements may be obtained from *name of billing authority*.”.

(8) In paragraph 1 of Part II of Schedule 2, for the words “dosbarth a sir” in the note headed “Trethi Annomestig”, there shall be substituted “dosbarth, cynghorau sir ac awdurdodau heddlu newydd”.

(9) In paragraph 1 of Part II of Schedule 2, for the first sentence of the note headed “Gwerth Trethiannol” there shall be substituted the following—

“Pennir gwerth trethiannol eiddo annomestig gan swyddog prisio annibynnol o Asiantaeth y Swyddfa Brisio yn y mwyafrif o achosion. Caiff pob eiddo annomestig ei ail-brisio bob pum mlynedd. O 1 Ebrill 1995 ymlaen, gwerth trethiannol eiddo yw ei werth rhentol blynyddol ar y farchnad agored fel yr oedd ar 1 Ebrill 1993.”.

(10) In paragraph 1 of Part II of Schedule 2, in the note which follows the heading “Lluosydd Trethu Annomestig Cenedlaethol”, for the words “ac ni all” there shall be substituted the words “a, heblaw mewn blwyddyn ail-brisio, ni all”.

(11) In paragraph 1 of Part II of Schedule 2, for the note headed “Rhyddhad Dros Dro” there shall be substituted the following—

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(5) S.I. 1994/3279.

### **“Trefniadau trosiannol**

Bydd trefniadau trosiannol yn graddol–gyflwyno effaith newidiadau sylweddol mewn rhwymedigaeth sy'n deillio o ail–brisiad eiddo annomestig 1995. Lle bo'n briodol, bydd y trefniadau hyn ar waith tan fis Mawrth 2000 (pryd y caiff pob eiddo annomestig ei ail–brisio eto). Ceir terfynau ar ganran y cynnydd neu'r gostyngiad y gellir ei chael ar filiau pob blwyddyn. Mae rheolau arbennig yn trafod newidiadau yng ngwerth trethiannol ac uno neu rannu eiddo presennol. Gellir cael rhagor o wybodaeth am ryddhad dros dro oddi wrth *enw'r awdurdod bilio*.”.

(12) In paragraph 6 of Part I of Schedule 3, for the words after sub–paragraph (a) there shall be substituted—

- “(b) additional grant;
- (c) redistributed non–domestic rates; and
- (d) police grant under section 31 of the Police Act 1964.”(6).

### **Transitional amendments of the principal Regulations**

3.—(1) Where the relevant year is the financial year beginning in 1995, the principal Regulations shall have effect as modified by the following paragraphs.

(2) Regulation 9 shall not apply to a major precepting authority which is a new police authority.

(3) Part I of Schedule 3 shall have effect as if references to the major precepting authority in paragraphs 10, 11 and 12 did not include a new police authority.

(4) Paragraph 12 of Part I of Schedule 3 shall have effect as if at the end there were added—

- “(c) in the case of the major precepting authority which formerly had the functions of a police authority under the Police Act 1964 and which ceases to have them from 31st March 1995, of the fact that that authority has ceased to have those functions.”.

Signed by authority of the Secretary of State for Wales.

8th February 1995

*Gwilym Jones*  
Parliamentary Under Secretary of State, Welsh  
Office

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(6) Section 31 was substituted by section 17 of the Police and Magistrates' Courts Act 1994.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Non-Domestic Rating (Demand Notices) (Wales) Regulations 1993 to reflect the establishment of new police authorities under section 3 of the Police Act 1964 (as substituted by section 2 of the Police and Magistrates' Courts Act 1994) and to reflect the revaluation of hereditaments for non-domestic rating in 1995 (regulation 2).

Regulation 3 amends the provisions relating to non-domestic rating demand notices served by billing authorities (Part I of Schedule 3 to the 1993 Regulations) for the financial year 1995/96. The amendments reflect the fact that some authorities will cease to have police functions, and that new police authorities will not be able to supply all the information referred to in Part I of Schedule 3 to, the 1993 Regulations.

Other information required to be supplied by regulation 9 of the 1993 Regulations will (at the time of coming into force of these Regulations) already have been supplied to billing authorities by new police authorities in compliance with regulation 6 of the [Council Tax \(Demand Notices\) \(Wales\) Regulations 1993 No. 255](#) (as applied to new police authorities in 1995/96 by regulations 2 and 3 of the [Council Tax \(Demand Notices\) \(Wales\) \(Amendment\) Regulations 1995 No. 160](#)). Regulation 9 of the 1993 Regulations is therefore disapplied as regards new police authorities for 1995/96.

Regulation 2 also makes amendments to the explanatory notes for ratepayers, to reflect the revaluation in 1995 of hereditaments subject to non-domestic rating.