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STATUTORY INSTRUMENTS

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**1996 No. 311**

**RATING AND VALUATION**

**WALES**

**The Non-Domestic Rating (Demand Notices)  
(Wales) (Amendment) Regulations 1996**

<i>Made</i>	- - - -	<i>15th February 1996</i>
<i>Laid before Parliament</i>		<i>19th February 1996</i>
<i>Coming into force</i>	- -	<i>11th March 1996</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(1), and section 26(3) of the Welsh Language Act 1993(2) 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 1996 and shall come into force on 11th March 1996.

(2) In these Regulations—

“the principal Regulations” mean the Non-Domestic Rating (Demand Notices) (Wales) Regulations 1993(3); and

“demand notice” and “the relevant year” have the same meaning as in the principal Regulations.

**Amendments to the principal Regulations**

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

(2) In regulation 2 (interpretation), in the definition of “the major precepting authority”, the words “(a) the county council, and (b)” shall be deleted.

(3) In regulation 9(2), for “7, 8, 9 and 12” there shall be substituted “7 and 9”.

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(1) 1988 c. 41. Paragraph 2(2) 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, amended by S.I. 1993/1506, 1994/415 and 1995/284.

- (4) In paragraph 1 of Part I of Schedule 2—
- (a) in the note headed “Non-Domestic Rates”, for the words after “redistributed to” to the end of that note there shall be substituted “county and county borough councils and police authorities. Your council and police authority use their shares of redistributed rate income, together with income from their council tax payers, revenue support grant provided by the Government and certain other sums, to pay for the services they provide.”;
  - (b) in the note headed “Alteration of Rateable Value”, for “6 months” there shall be substituted “3 months”.
- (5) In paragraph 1 of Part II of Schedule 2—
- (a) in the note headed “Trethi Annomestig”, for the words after “gynghorau” to the end of that note there shall be substituted “sir a bwrdeistref sirol ac awdurdodau heddlu. Defnyddia eich cyngor a'ch awdurdod heddlu eu cyfran o'r incwm trethi a ailddosberthir, ynghyd â'r incwm o'u trethdalwyr, y grant cynnal refeniw a ddarperir gan y Llywodraeth a rhai symiau eraill, i dalu am y gwasanaethau a ddarperir ganddynt hwy.”;
  - (b) in the note headed “Newid y Gwerth Trethiannol”, for “6 mis” there shall be substituted “3 mis”.
- (6) For paragraph 8(c) of Part I of Schedule 3 there shall be substituted—
- “(c) where a body has issued a levy or special levy to the billing authority that was taken into account for the relevant year by the authority in making its estimate under section 32(2)(a) of the 1992 Act, of the amount of the levy or special levy together with information as to whether any of it was treated as special expenses of the authority.”.
- (7) For paragraph 12(b) of Part I of Schedule 3 there shall be substituted—
- “(b) where a body has issued a levy or special levy to the billing authority that was taken into account for the preceding year by the authority in making its estimate under section 32(2)(a) of the 1992 Act, of the amount of the levy or special levy.”.
- (8) Nothing in paragraphs (4)(b) and (5)(b) above shall affect the operation of the principal Regulations in relation to demand notices issued by a billing authority which relate to a financial year beginning on or before 1st April 1994.
- (9) Nothing in paragraphs (2), (6) and (7) above shall affect the operation of the principal Regulations in relation to demand notices issued by a billing authority which relate to a financial year beginning on or before 1st April 1995.

### **Transitional provision for financial year beginning in 1996**

**3.—(1)** This regulation applies where the relevant year is the financial year beginning on 1st April 1996.

(2) In paragraph 2 of Schedule 1 to the principal Regulations, the reference to the authority's local non-domestic rating list shall, if no such list is in force, be taken to be a reference to—

- (a) the information received by the authority from its valuation officer under section 41A(8) of the Local Government Finance Act 1988, or
- (b) in a case to which paragraph (3) applies, the relevant information.

(3) This paragraph applies where the authority's valuation officer supplies the authority with information relating to the rateable value of the hereditament concerned which—

- (a) is contained in a local non-domestic rating list after 30th September 1995, and
- (b) differs from the information referred to in paragraph (2)(a) above; and such information is relevant information for the purposes of paragraph (2)(b) above.

(4) Part I of Schedule 3 to the principal Regulations shall have effect as if—

- (a) the words “of the billing authority and” were omitted from paragraphs 10 and 11; and
- (b) paragraph 12 were omitted.

Signed by authority of the Secretary of State for Wales

15th February 1996

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

**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)*

The Local Government (Wales) Act 1994 makes provision for local government reorganisation in Wales. These regulations amend the Non-Domestic Rating (Demand Notices) (Wales) Regulations 1993 to take account of the changes resulting from local government reorganisation. In particular, they take account of the fact that from 1st April 1996 the only major precepting authorities in Wales will be police authorities, and that the requirements to supply, with demand notices, certain information relating to the previous year, will be inappropriate in the new authorities' first year.