

2004 No. 3057

RATING AND VALUATION, ENGLAND

**The Non-Domestic Rating (Alteration of Lists and Appeals)
(Amendment) (England) Regulations 2004**

<i>Made</i> - - - -	<i>18th November 2004</i>
<i>Laid before Parliament</i>	<i>25th November 2004</i>
<i>Coming into force</i> - -	<i>16th December 2004</i>

The First Secretary of State, in exercise of the powers conferred by sections 55(2) and (6) and 143(1) of the Local Government Finance Act 1988(a), and all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, application and commencement

1. These Regulations, which apply in England only, may be cited as the Non-Domestic Rating (Alteration of Lists and Appeals) (Amendment) (England) Regulations 2004 and shall come into force on 16th December 2004.

Amendment of the 1993 Regulations

2. Regulation 13A (time from which alteration is to have effect: general) of the Non-Domestic Rating (Alteration of Lists and Appeals) Regulations 1993(b) shall be amended as follows—

- (a) at the end of paragraph (13)(a)(iii) delete “or”; and
- (b) after paragraph (13)(a)(iii) insert—
 - “(iv) if the proposal is served on the valuation officer after the date of the coming into force of the Non-Domestic Rating (Alteration of Lists and Appeals) (Amendment) (England) Regulations 2004 and before 1st April 2005, and—
 - (aa) a proposal in respect of the same hereditament, made on any of the grounds set out in regulation 4A(1)(a), (j) or (k), had been served on the valuation officer before the previous alteration had been made (“the historic proposal”); and
 - (bb) if an alteration to give effect to the historic proposal had been made, it would have had effect from the date on which the previous alteration had effect; and
 - (cc) the historic proposal had been withdrawn (in accordance with these Regulations) after the previous alteration had been made and before 1st January 2004,

(a) 1988 c.41. These powers are devolved, in relation to Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), see the entry for Local Government Finance Act 1988 in Schedule 1. See section 146(6) for the definition of “prescribed”.
(b) S.I. 1993/291: relevant amending instruments S.I. 2000/598, 2001/1271 and 2002/498.

from the date on which the previous alteration fell to have effect; or”.

Signed by authority of the First Secretary of State

18th November 2004

Phil Hope
Parliamentary Under Secretary of State,
Office of the Deputy Prime Minister

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Non-Domestic Rating (Alteration of Lists and Appeals) Regulations 1993 govern the alteration of non-domestic rating lists and the appeals in relation to such alterations.

These Regulations make provision in relation to the effective date of certain alterations made to correct an inaccuracy in a list which arose in the course of making a previous alteration.

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