CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2001 Rhif 2357 (Cy. 195)

ARDRETHU A PHRISIO, CYMRU

Rheoliadau Prisio ar gyfer Ardrethu (Peiriannau a Pheirianwaith) (Cymru) (Diwygio) 2001

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Prisio ar gyfer Ardrethu (Peiriannau a Pheirianwaith) (Cymru) 2000 drwy roi esemptiad rhag ardrethu i ddosbarth ychwanegol o beiriannau a pheirianwaith, sef peiriannau a pheirianwaith penodedig a geir mewn gorsaf gwres a phŵer gyfun sy'n gyfan gwbl esempt neu'n rhannol esempt rhag yr ardoll newid hinsawdd ac sy'n cynhyrchu pŵer trydan (yn rhannol o leiaf).

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2001 No. 2357 (W. 195)

RATING AND VALUATION, WALES

Valuation for Rating (Plant and Machinery) (Wales) (Amendment) Regulations 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Valuation for Rating (Plant and Machinery) (Wales) Regulations 2000 by conferring exemption from rating on an additional class of plant and machinery, namely specified plant and machinery comprised in a combined heat and power station which is fully or partly exempt from climate change levy and which produces (at least in part) electrical power.

OFFERYNNAU STATUDOL

2001 Rhif 2357 (Cy. 195)

ARDRETHU A PHRISIO, CYMRU

Rheoliadau Prisio ar gyfer Ardrethu (Peiriannau a Pheirianwaith) (Cymru) (Diwygio) 2001

Wedi'u gwneud *26 Mehefin 2001*

Yn dod i rym drannoeth eu gwneud

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd iddo gan adran 143(2) o Ddeddf Cyllid Llywodraeth Leol 1988(**a**), a pharagraff 2(8) o Atodlen 6 iddi:-

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau yw Rheoliadau Prisio ar gyfer Ardrethu (Peiriannau a Pheirianwaith) (Cymru) (Diwygio) 2001 a deuant i rym drannoeth eu gwneud.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig.

Diwygio Rheoliadau 2000

2.-(1) Caiff Rheoliadau Prisio ar gyfer Ardrethu (Peiriannau a Pheirianwaith) (Cymru) 2000(**b**) eu diwygio fel a ganlyn.

(2) Yn yr Atodlen, yn Nosbarth 1, yn lle paragraff (ch) rhowch -

"(ch) ystyr "peiriannau a pheirianwaith a eithrir" yw peiriannau a pheirianwaith ar hereditament a ddefnyddir neu y bwriedir eu defnyddio ar gyfer cynhyrchu, storio, newid neu drosglwyddo pŵer naill ai -

(a) 1988 p.41; diwygiwyd paragraff 2(8) o Atodlen 6 gan baragraff 38(8) o Atodlen 5 i Ddeddf Llywodraeth Leol a Thai 1989 (p.42). Gweler adran 146(6) o Ddeddf 1988 i gael y diffiniad o "prescribed". Datganolwyd y pwerau hyn i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672); gweler y cyfeiriad at Ddeddf Cyllid Llywodraeth Lleol 1988 yn Atodlen 1.

(b) O.S. 2000/1097(Cy.75).

STATUTORY INSTRUMENTS

2001 No. 2357 (W. 195)

RATING AND VALUATION, WALES

Valuation for Rating (Plant and Machinery) (Wales) (Amendment) Regulations 2001

Made *26th June 2001*

Coming into force the day after it is made

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred upon it by section 143(2) of, and paragraph 2(8) of Schedule 6 to, the Local Government Finance Act 1988(**a**):-

Name, commencement and application

1.-(1) The name of the Regulations is the Valuation for Rating (Plant and Machinery) (Wales) (Amendment) Regulations 2001 and they shall come into force on the day after they are made.

(2) These Regulations apply to Wales only.

Amendment to the 2000 Regulations

2.-(1) The Valuation for Rating (Plant and Machinery) (Wales) Regulations 2000(**b**) shall be amended as follows.

(2) In the Schedule, in Class 1, for paragraph (d) substitute -

"(d) "excepted plant and machinery" means plant and machinery on a hereditament used or intended to be used for the generation, storage, transformation or transmission of power where either -

(a) 1988 c.41; paragraph 2(8) of Schedule 6 was amended by paragraph 38(8) of Schedule 5 to the Local Government and Housing Act 1989 (c.42). See section 146(6) of the 1988 Act for the definition of "prescribed". These powers are devolved to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); see the reference to the Local Government Finance Act 1988 in Schedule 1.

(b) S.I. 2000/1097 (W.75).

(i) os yw'r pŵer i'w ddosbarthu neu i'w werthu i ddefnyddwyr yn bennaf neu'n unig; neu

(ii) (aa) os yw'r peiriannau a'r peirianwaith yn beiriannau a pheirianwaith i orsaf gwres a phŵer gyfun sy'n gyfan gwbl esempt neu'n rhannol esempt o fewn ystyr paragraff 148(2) neu, yn ôl fel y digwydd, 148(3) o Atodlen 6 i Ddeddf Cyllid 2000(**a**), a

(bb) os yw'r peiriannau a'r peirianwaith o fewn pennawd (b), (c), (ch) neu (ng) o Dabl 1 isod, ac

(cc) os yw'r pŵer yn bŵer trydan yn rhannol o leiaf.".

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**b**).

26 Mehefin 2001

Dafydd Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

(a) 2000 p.17.

(b) 1998 p.38.

(i) the power is mainly or exclusively for distribution for sale to consumers; or

(ii) (aa) the plant and machinery is that of a combined heat and power station which is fully exempt or partly exempt within the meaning of paragraph 148(2) or, as the case may be, 148(3) of Schedule 6 to the Finance Act 2000(**a**), and

(bb) the plant and machinery is within head (b), (c), (d) or (k) of Table 1 below, and

(cc) the power is at least in part electrical power.".

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**b**).

26th June 2001

The Presiding Officer of the National Assembly

(a) 2000 c.17.

(b) 1998 c.38.

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