CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2003 Rhif 1714 (Cy.182)

ARDRETHU A PHRISIO, CYMRU

Rheoliadau Ardrethu Annomestig (Casglu a Gorfodi) (Rhestri Lleol) (Diwygio) (Cymru) 2003

NODYN ESBONIADOL

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

Mae Rheoliadau Ardrethu Annomestig (Casglu a Gorfodi) (Rhestri Lleol) 1989 (fel y'u diwygiwyd) (y "Rheoliadau") yn rhagnodi'r pwerau sydd gan awdurdodau lleol i gasglu ac adennill ardrethi annomestig. Yn benodol, mae rheoliadau 13(1) a 17(1) o'r Rheoliadau ac Atodlen 2 iddynt yn rhagnodi'r ffurflenni Gorchymyn Dyled a Gwarant Traddodi y mae'n rhaid i Lysoedd Ynadon eu defnyddio yn dilyn ceisiadau iddynt gan awdurdodau lleol ar gyfer gorchmynion neu warantau o'r fath.

Mae Adran yr Arglwydd Ganghellor yn ddiweddar wedi gwneud arolwg o'r ffurflenni a ddefnyddir mewn Llysoedd Ynadon ac maent yn awr yn dymuno defnyddio set newydd o ffurflenni sydd i gyd i fod yn gyson o ran eu harddull. Fel rhan o'r broses hon, mae'n angenrheidiol anghymhwyso'r ffurf ar Orchymyn Dyled a Gwarant Traddodi a grybwyllir uchod.

Mae'r Rheoliadau hyn yn dileu'r gofyniad ei bod yn rhaid i Lysoedd Ynadon ddefnyddio'r ffurf ar Orchymyn Dyled a Gwarant Traddodi penodedig neu ffurf sydd ag effaith tebyg mewn cysylltiad â chasglu ac adennill ardrethi annomestig.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2003 No. 1714 (W.182)

RATING AND VALUATION, WALES

The Non-Domestic Rating (Collection and Enforcement)(Local Lists) (Amendment) (Wales) Regulations 2003

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989 (as amended) ("the Regulations") prescribe the powers by which local authorities may collect and recover non-domestic rates. In particular, regulations 13(1) and 17(1) of and Schedule 2 to the Regulations prescribe the forms of Liability Order and Warrant of Commitment which must be used by Magistrates' Courts following applications by local authorities to them for such orders or warrants.

The Lord Chancellor's Department have recently conducted a review of the forms used in Magistrates' Courts and now wish to implement a new set of forms which are all to have a consistent style. As part of this process, it is necessary to de-prescribe the forms of Liability Order and of Warrant of Commitment mentioned above.

These Regulations remove the requirement that Magistrates' Courts must use the specified forms of Liability Order and Warrant of Commitment or forms to like effect in connection with the collection and recovery of non-domestic rates.

OFFERYNNAU STATUDOL

2003 Rhif 1714 (Cy.182)

ARDRETHU A PHRISIO, CYMRU

Rheoliadau Ardrethu Annomestig (Casglu a Gorfodi) (Rhestri Lleol) (Diwygio) (Cymru) 2003

Wedi'u gwneud	*8 Gorffennaf 2003*
Yn dod i rym	*10 Gorffennaf 2003*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 62, 143(1) a 2 a (146)(6) o Ddeddf Cyllid Llywodraeth Leol 1988(**a**) a pharagraffau 1 a 3 o Atodlen 9 iddi ac sydd wedi'u breinio bellach yng Nghynulliad Cenedlaethol Cymru i'r graddau y maent yn arferadwy yng Nghymru(**b**):

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Ardrethu Annomestig (Casglu a Gorfodi) (Rhestri Lleol) (Diwygio) (Cymru) 2003 a deuant i rym ar 10 Gorffennaf 2003.

Cymhwyso a Dehongli

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

(2) Yn y Rheoliadau hyn ystyr y "Prif Reoliadau" ("*the principal Regulations*") yw Rheoliadau Ardrethu

(a) 1988 p.41. Adran 143(2) fel y'i diwygiwyd gan adran 139 o Ddeddf Llywodraeth Leol a Thai 1989 (p.42) a pharagraffau 72 a 79(3) o Atodlen 5 iddi. Paragraff 2 o Atodlen 9 i Ddeddf 1988 fel y'i diwygiwyd gan adran 117 o Ddeddf Cyllid Llywodraeth Leol 1992 (p.14) a pharagraff 87(1) o Atodlen 13 iddi ac adrannau 139 a 194(4) o Ddeddf Llywodraeth Leol a Thai 1989 (p.42) a pharagraffau 1, 44(2) i (4) a 79(3) o Atodlen 5 a Rhan II o Atodlen 12 iddi. Paragraffau 3 a 4 o Atodlen 9 i Ddeddf 1988 fel y'i diwygiwyd gan adran 117(1) o Ddeddf Cyllid Llywodraeth Leol 1992 (p. 14) a pharagraffau 87(2) a (3) o Atodlen 13 iddi.

(b) *Gweler* erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo.

STATUTORY INSTRUMENTS

2003 No. 1714 (W.182)

RATING AND VALUATION, WALES

The Non-Domestic Rating (Collection and Enforcement)(Local Lists) (Amendment) (Wales) Regulations 2003

Made	*8th July 2003*
Coming into force	*10th July 2003*

The National Assembly for Wales makes the following Regulations in exercise of the powers given to the Secretary of State by sections 62, 143(1) and (2) and 146(6) of, and paragraphs 1 and 3 of Schedule 9 to, the Local Government Finance Act 1988(**a**), which are now vested in the National Assembly for Wales so far as exercisable in Wales(**b**):

Name and commencement

1. These Regulations are called the Non-Domestic Rating (Collection and Enforcement) (Local Lists) (Amendment) (Wales) Regulations 2003 and will come into force on 10th July 2003.

Application and Interpretation

2.-(1) These Regulations apply to Wales only.

(2) In these Regulations "the Principal Regulations" (y "*Prif Reoliadau*") means the Non-Domestic Rating

(a) 1988 c.41. Section 143(2) as amended by section 139 of and paragraphs 72 and 79(3) of Schedule 5 to the Local Government and Housing Act 1989 (c.42). Paragraph 2 of Schedule 9 to the 1988 Act as amended by section 117 of and paragraph 87(1) of Schedule 13 to the Local Government Finance Act 1992 (c.14) and sections 139 and 194(4) of and paragraphs 1, 44(2) to (4) and 79(3) of Schedule 5 and Part II of Schedule 12 to the Local Government and Housing Act 1989 (c.42). Paragraphs 3 and 4 of Schedule 9 to the 1988 Act as amended by section 117(1) of and paragraphs 87(2) and (3) of Schedule 13 to the Local Government Finance Act 1992 (c.14).

(b) *See* article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

Annomestig (Casglu a Gorfodi) (Rhestri Lleol) 1989(**a**).

Diwygio'r Prif Reoliadau

3. Diwygir y Prif Reoliadau fel a ganlyn -

(a) yn rheoliad 13(1) hepgorir -

(i) "(in which case the order shall be in the form specified as Form A in Schedule 2, or a form to the like effect),"; a

(ii) "(in which case the order shall be in the form specified as Form B in that Schedule, or a form to the like effect)";

(b) yn rheoliad 17(1) hepgorir ", and shall be in the form specified as Form C in Schedule 2, or in a form to the like effect"; a

(c) hepgorir Atodlen 2.

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

8 Gorffennaf 2003

Llywydd y Cynulliad Cenedlaethol

(Collection and Enforcement) (Local Lists) Regulations 1989(**a**).

Amendment of Principal Regulations

3. The Principal Regulations are amended as follows -

(a) in regulation 13(1) omit -

(i) "(in which case the order shall be in the form specified as Form A in Schedule 2, or a form to the like effect),"; and

(ii) "(in which case the order shall be in the form specified as Form B in that Schedule, or a form to the like effect)";

(b) in regulation 17(1) omit ", and shall be in the form specified as Form C in Schedule 2, or in a form to the like effect"; and

(c) omit Schedule 2.

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

8th July 2003

D.Elis-Thomas

The Presiding Officer of the National Assembly

(a) O.S. 1989/1058. Diwygiwyd Rheoliad 13(1) o Reoliadau 1989 gan reoliad 7(3) o Reoliadau Ardrethu Annomestig (Casglu a Gorfodi) (Amrywiol Ddarpariaethau) 1990 (O.S. 1990/145). Diwygiwyd Atodlen 2 o Reoliadau 1989 gan Erthygl 3 o Ddeddf Cyllid Llywodraeth Leol (Diddymiadau, Arbediadau a Diwygiadau Canlyniadol) 1993 (O.S. 1993/616) a Rhan II o Atodlen 2 iddi a rheoliad 3(2)(c) o Reoliadau Taliadau Cymunedol ac Ardrethu Annomestig (Amrywiol Ddarpariaethau) 1992 (O.S. 1992/474). Mae yna ddiwygiadau eraill i Reoliadau 1989 nad ydynt yn berthnasol i'r Rheoliadau hyn.

(b) 1998 p.38.

(a) S.I. 1989/1058. Regulation 13(1) of the 1989 Regulations has been amended by regulation 7(3) of The Non-Domestic Rating (Collection and Enforcement) (Miscellaneous Provisions) Regulations 1990 (S.I. 1990/145). Schedule 2 of the 1989 Regulations has been amended by Article 3 of and Part II of Schedule 2 to The Local Government Finance (Repeals, Savings and Consequential Amendments) Order 1993 (S.I. 1993/616) and regulation 3(2)(c) of The Community Charges and Non-Domestic Rating (Miscellaneous Provisions) Regulations 1992 (S.I. 1992/474). There are other amendments to the 1989 Regulations which are not relevant to these Regulations.

(b) 1998 c.38.

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Rheoliadau Ardrethu Annomestig (Casglu a Gorfodi) (Rhestri Lleol) (Diwygio) (Cymru) 2003

The Non-Domestic Rating (Collection and Enforcement)(Local Lists) (Amendment) (Wales) Regulations 2003

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Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 0-11-090750-7

9 780110 907505

£1.75

W129/7/03 ON