CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2003 Rhif 944 (Cy.125)

ARDRETHU A PHRISIO, CYMRU

Gorchymyn Ardrethu Annomestig (Cyfleustodau) (Gwerth Ardrethol) (Diwygio) (Cymru) 2003

NODYN ESBONIADOL

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

O dan baragraff 3(2) of Atodlen 6 i Ddeddf Cyllid Llywodraeth Leol 1988 ("Deddf 1988"), caiff Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol ac sydd bellach yn arferadwy gan Gynulliad Cenedlaethol Cymru mewn perthynas â Chymru, drwy Orchymyn ddarparu yn achos hereditamentau annomestig sydd i'w dangos yn rhestr ardrethu canolog Cymru na fydd rheolau arferol prisio ar gyfer ardrethu, a gynhwysir ym mharagraffau 2 i 2C o'r Atodlen honno, yn gymwys ac yn lle hynny eu gwerth ardrethol fydd yr hyn a bennir yn y Gorchymyn neu yr hyn a benderfynir yn unol â'r rheolau a ragnodwyd.

O dan baragraff 3(2) o Atodlen 6 i Ddeddf 1988, gwnaeth Cynulliad Cenedlaethol Cymru Orchymyn Ymgymerwyr Dŵr (Gwerthoedd Ardrethol) (Cymru) 2000, Gorchymyn BG plc (Gwerth Ardrethol) (Cymru) 2000 a Gorchymyn Railtrack Plc (Gwerth Ardrethol) (Cymru) 2000. Yr oedd y tri Gorchymyn hwn yn datgymhwyso rheolau arferol prisio ar gyfer ardrethu eiddo yng Nghymru ym mherchenogaeth yr ymgymerwyr perthnasol a rhoi yn eu lle ddulliau amgen o gyfrifo eu gwerthoedd ardrethol perthnasol.

O dan adrannau 41(2) a 52(2) o Ddeddf 1988 lluniwyd rhestr ardrethu annomestig lleol a chanolog yn eu tro ar 1 Ebrill 1990 a rhaid llunio rhestr ar 1 Ebrill ym mhob pumed blwyddyn ar ôl y dyddiad hwnnw. Gosodir y dyddiad erbyn pryd y mae'r gwerth ardrethol i'w benderfynu gan baragraff 2(3)(b) o Atodlen 6 i Ddeddf 1988 ac o dan y ddarpariaeth hon

NATIONAL ASSEMBLY FOR WALES

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RATING AND VALUATION, WALES

The Non-Domestic Rating (Utilities) (Rateable Value) (Amendment) (Wales) Order 2003

EXPLANATORY NOTE

(This note is not part of the Order)

Under paragraph 3(2) of Schedule 6 to the Local Government Finance Act 1988 ("the 1988 Act"), the National Assembly for Wales, in exercise of the powers given to the Secretary of State and now exercisable by the National Assembly for Wales in relation to Wales, may by Order provide in the case of non-domestic hereditaments to be shown in the central rating list for Wales that the normal rules of valuation for rating, contained in paragraphs 2 to 2C of that Schedule, shall not apply and instead that their rateable value shall be such as is specified in the Order or determined in accordance with the prescribed rules.

Under paragraph 3(2) of Schedule 6 to the 1988 Act, the National Assembly for Wales made the Water Undertakers (Rateable Values) (Wales) Order 2000, the BG plc (Rateable Value) (Wales) Order 2000 and the Railtrack Plc (Rateable Value) (Wales) Order 2000. These three Orders disapplied the normal rules of valuation for the rating of property in Wales owned by the relevant undertakings and substituted alternative methods for calculation of the respective rateable values.

Under sections 41(2) and 52(2) of the 1988 Act a local and central non-domestic rating list respectively was compiled on 1st April 1990 and must be compiled on 1st April in every fifth year after that date. The date on which the rateable value is to be determined is set by paragraph 2(3)(b) of Schedule 6 to the 1988 Act and under this provision the National Assembly for Wales

mae Cynulliad Cenedlaethol Cymru wedi darparu, yn rhinwedd Gorchymyn y Rhestrau Ardrethu (Dyddiad Prisio) (Cymru) 2002 ("Gorchymyn 2002"), mai 1 Ebrill 2003 fydd y dyddiad prisio at ddibenion rhestrau ardrethu 2005.

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Ymgymerwyr Dŵr (Gwerthoedd Ardrethol) (Cymru) 2000, Gorchymyn BG plc (Gwerth Ardrethol) (Cymru) 2000 a Gorchymyn Railtrack Plc (Gwerth Ardrethol) (Cymru) 2000 i gyfyngu ar eu cymhwysiad i restrau ardrethu annomestig ar gyfer Cymru a luniwyd ar 1 Ebrill 2000, er mwyn gallu ymgymryd â'r ailbrisio angenrheidiol yn unol â Gorchymyn 2002.

has provided, by virtue of the Rating Lists (Valuation Date)(Wales) Order 2002 ("the 2002 Order"), that the valuation date for the purposes of the 2005 rating lists, will be 1st April 2003.

This Order amends the Water Undertakers (Rateable Values) (Wales) Order 2000, the BG plc (Rateable Value) (Wales) Order 2000 and the Railtrack Plc (Rateable Value) (Wales) Order 2000 to limit the application of the same to the non-domestic rating lists for Wales compiled on 1 April 2000, in order that the necessary revaluations in accordance with the 2002 Order may be undertaken.

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ARDRETHU A PHRISIO, CYMRU

Gorchymyn Ardrethu Annomestig (Cyfleustodau) (Gwerth Ardrethol) (Diwygio) (Cymru) 2003

Wedi'i wneud	*27 Mawrth 2003*
Yn dod i rym	*1 Ebrill 2003*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Gorchymyn canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 140(4) a 143(1) a (2) o Ddeddf Cyllid Llywodraeth Leol 1988(**a**) a pharagraff 3(2) o Atodlen 6 iddi, sydd wedi'u breinio bellach yng Nghynulliad Cenedlaethol Cymru i'r graddau y maent yn arferadwy yng Nghymru(**b**):

Enwi, cychwyn a dehongli

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Ardrethu Annomestig (Cyfleustodau) (Gwerth Ardrethol) (Diwygio) (Cymru) 2003 a daw i rym ar 1 Ebrill 2003.

(2) Yn y Gorchymyn hwn -

ystyr "Gorchymyn BG " ("*the BG Order*") yw Gorchymyn BG plc (Gwerth Ardrethol) (Cymru) 2000(**c**).

ystyr "Gorchymyn Railtrack" ("*the Railtrack Order*") yw Gorchymyn Railtrack Plc (Gwerth Ardrethol) (Cymru) 2000(**ch**).

ystyr "Gorchymyn yr Ymgymerwyr Dŵr" ("*the Water Undertakers Order*") yw Gorchymyn Ymgymerwyr Dŵr (Gwerthoedd Ardrethol) (Cymru) 2000(**d**).

(a) 1988 p.41. Diwygiwyd adran 143(2) gan adran 139 o Ddeddf Llywodraeth Leol a Thai 1989 (p.42) a pharagraffau 72 a 79(3) o Atodlen 5 iddi. Diwygiwyd paragraff 3(2) o Atodlen 6 i Ddeddf 1988 gan adran 139 o Ddeddf Llywodraeth Leol a Thai 1989 a pharagraffau 72 a 79(3) o Atodlen 5 iddi a Deddf Llywodraeth Leol ac Ardrethu 1997 (p.29).

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

(c) O.S. 2000/352 (Cy.10).

(ch) O.S. 2000/555 (Cy.22).

(d) O.S. 2000/299 (Cy.6).

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2003 No. 944 (W.125)

RATING AND VALUATION, WALES

The Non-Domestic Rating (Utilities) (Rateable Value) (Amendment) (Wales) Order 2003

Made	*27th March 2003*
Coming into force	*1st April 2003*

The National Assembly for Wales makes the following Order in exercise of the powers given to the Secretary of State by sections 140(4) and 143(1) and (2) of, and paragraph 3(2) of Schedule 6 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, commencement and interpretation

1.- (1) This Order may be cited as the Non-Domestic Rating (Utilities) (Rateable Value) (Amendment) (Wales) Order 2003 and will come into force on 1 April 2003.

(2) In this Order -

"the BG Order" ("*Gorchymyn BG*") means the BG plc (Rateable Value) (Wales) Order 2000(**c**);

"the Railtrack Order" ("*Gorchymyn Railtrack*") means the Railtrack plc (Rateable Value) (Wales) Order 2000(**d**);

"the Water Undertakers Order" ("*Gorchymyn yr Ymgymerwyr Dŵr*") means the Water Undertakers (Rateable Values) (Wales) Order 2000(**e**).

(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 3(2) of Schedule 6 to the 1988 Act as amended by section 139 of and paragraphs 72 and 79(3) of Schedule 5 to the Local Government and Housing Act 1989 and the Local Government and Rating Act 1997 (c.29).

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

(c) S.I. 2000/352 (W.10).

(d) S.I. 2000/555 (W.22).

(e) S.I. 2000/299 (W.6).

Diwygio Gorchymyn Ymgymerwyr Dŵr (Gwerthoedd Ardrethol) (Cymru) 2000

2. Yn y Gorchymyn Ymgymerwyr Dŵr -

(a) yn erthygl 2(1) ar ôl y diffiniad o "y fformwla safonol" mewnosoder "ystyr "y rhestr ardrethu ganolog" ("*the central rating list*") yw'r rhestr ardrethu annomestig canolog ar gyfer Cymru a luniwyd ar 1 Ebrill 2000;";

(b) yn erthygl 5 ar ôl y dyddiad "1 Ebrill 2000" lle mae'n ymddangos gyntaf mewnosoder y geiriau "y mae'r rhestr ardrethu ganolog mewn grym ar ei chyfer";

(c) yn erthygl 7(1) ar ôl y gair "flwyddyn" lle mae'n ymddangos gyntaf mewnosoder y geiriau "y mae'r rhestr ardrethu ganolog mewn grym ar ei chyfer"; a

(ch) yn erthygl 7(2) ar ôl y gair "flwyddyn" lle mae'n ymddangos gyntaf mewnosoder y geiriau "y mae'r rhestr ardrethu ganolog mewn grym ar ei chyfer".

Amendment of the Water Undertakers (Rateable Values) (Wales) Order 2000

2. In the Water Undertakers Order -

(a) in article 2(1) after the definition of "Central List Regulations" insert ""the central rating list" ("*y rhestr ardrethu ganolog*") means the central non-domestic rating list for Wales compiled on 1st April 2000;";

(b) in article 5 after the date "1st April 2000" where it first appears insert the words "for which the central rating list is in force";

(c) in article 7(1) after the word "year" where it first appears insert the words "for which the central rating list is in force"; and

(d) in article 7(2) after the word "year" where it first appears insert the words "for which the central rating list is in force".

Diwygio Gorchymyn BG plc (Gwerth Ardrethol) (Cymru) 2000

3. Yng Ngorchymyn BG yn erthygl 3 yn lle'r geiriau "sy'n dechrau ar neu ar ôl 1 Ebrill 2000" mewnosoder y geiriau "y mae rhestr ardrethu annomestig canolog Cymru a luniwyd ar 1 Ebrill 2000 mewn grym ar ei chyfer".

Amendment of the BG plc (Rateable Value) (Wales) Order 2000

3. In the BG Order in article 3 for the words "beginning on or after 1st April 2000" insert the words "for which the central non-domestic rating list for Wales compiled on 1st April 2000 is in force".

Diwygio Gorchymyn Railtrack Plc (Gwerth Ardrethol) (Cymru) 2000

4. Yng Ngorchymyn Railtrack -

(a) yn erthygl 2 yn y diffiniad o "rhestr ganolog" hepgorer y geiriau "neu ar ôl hynny"; a

(b) yn erthygl 5(1) ar ôl y gair "flwyddyn" mewnosoder y geiriau "y mae'r rhestr ganolog mewn grym ar ei chyfer".

Amendment of the Railtrack plc (Rateable Value) (Wales) Order 2000

4. In the Railtrack Order -

(a) in article 2 in the definition of "central list" omit the words "or after"; and

(b) in article 5(1) after the word "year" insert the words "for which the central list is in force".

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

27 Mawrth 2003

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

27th March 2003

Jane Hutt

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol

Minister for Health and Social Services

(a) 1998 p.38.

(a) 1998 c.38.

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ISBN 0-11-090722-1

9 780110 907222

£2.00

W108/4/03 ON