



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

**2005 Rhif 181 (Cy.14)**

**2005 No. 181 (W.14)**

**Y DRETH GYNGOR, CYMRU**

**COUNCIL TAX, WALES**

Rheoliadau'r Dreth Gyngor (Newid Rhestrau ac Apelau) (Diwygio) (Cymru) 2005

The Council Tax (Alteration of Lists and Appeals) (Amendment) (Wales) Regulations 2005

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

*(This note is not part of the Regulations)*

Mae'r Rheoliadau hyn yn diwygio Rheoliadau'r Dreth Gyngor (Newid Rhestrau ac Apelau) 1993 ("Rheoliadau 1993").

These Regulations amend the Council Tax (Alteration of Lists and Appeals) Regulations 1993 ("the 1993 Regulations").

Gwneir y Rheoliadau hyn o dan adran 24 (Newid rhestrau) o Ddeddf Cyllid Llywodraeth Leol 1992 ("Deddf 1992"). Mae adran 24 o Ddeddf 1992 yn caniatáu i'r Cynulliad wneud rheoliadau ynghylch newid rhestrau prisio a luniwyd o dan Bennod II (Rhestrau Prisio) o Ran I o Ddeddf 1992 a hynny gan swyddogion rhestru.

These Regulations are made under section 24 (Alteration of lists) of the Local Government Finance Act 1992 ("the 1992 Act"). Section 24 of the 1992 Act permits the Assembly to make regulations about the alteration by listing officers of valuation lists which have been compiled under Chapter II (Valuation Lists) of Part I of the 1992 Act.

Mae rheoliad 3 yn diwygio Rheoliadau 1993. Yn benodol, mae rheoliad 3(2) yn diwygio'r diffiniad o "list" yn rheoliad 2(1) o Rheoliadau 1993, fel bod "list" at ddibenion y Rheoliadau hynny (heblaw mewn perthynas â rheoliad 5(1A), (3) a (3A)) yn golygu rhestr brisio a luniwyd o dan adran 22, adran 22A neu adran 22B o Ddeddf 1992. Mewnosodwyd adran 22B (Llunio a chynnal rhestrau newydd) yn Neddf 1992 gan adran 77 o Ddeddf Llywodraeth Leol 2003. Mae adran 22B yn ei gwneud yn ofynnol i'r swyddog rhestru dros awdurdod bilio i lunio a chynnal rhestrau prisio newydd ar gyfer yr awdurdod. Daw rhestrau a luniwyd o dan adran 22B o Ddeddf 1992 i rym ar 1 Ebrill 2005.

Regulation 3 amends the 1993 Regulations. In particular, regulation 3(2) amends the definition of "list" in regulation 2(1) of the 1993 Regulations, such that "list" for the purposes of those Regulations (other than in respect of regulation 5(1A), (3) and (3A)) means a valuation list compiled under section 22, section 22A or section 22B of the 1992 Act. Section 22B (Compilation and maintenance of new lists) was inserted into the 1992 Act by section 77 of the Local Government Act 2003. Section 22B requires the listing officer for a billing authority to compile and maintain new valuation lists for the authority. Lists compiled under section 22B of the 1992 Act come into force on 1 April 2005.

Mae rheoliad 3(3) yn diwygio rheoliad 5 o Rheoliadau 1993. Mae rheoliad 3(3)(a) yn mewnosod rheoliad 5(1A) newydd yn Rheoliadau 1993, a'i heffaith fydd, yn ddarostyngedig i bedair eithriad, na chaniateir

Regulation 3(3) amends regulation 5 of the 1993 Regulations. Regulation 3(3)(a) inserts a new regulation 5(1A) into the 1993 Regulations, the effect of which is that, subject to four exceptions, no proposal

gwneud cynnig i newid rhestr brisio a luniwyd o dan adran 22 neu adran 22A o Ddeddf 1992 yn ddiweddarach na 31 Rhagfyr 2005.

Mae rheoliad 3(3)(b) yn diwygio rheoliad 5(3) o Reoliadau 1993 fel y bydd yn ymwneud yn unig â rhestrau prisio a luniwyd o dan adran 22 neu adran 22A o Ddeddf 1992.

Mae rheoliad 3(3)(c) yn mewnosod rheoliad 5(3A) newydd yn Rheoliadau 1993. Mae rheoliad 5(3A) yn darparu, yn ddarostyngedig i reoliadau 5(4) ac 8(3)(a) o Reoliadau 1993, os bydd, o ran annedd a ddangosir mewn rhestr brisio adran 22B ar y diwrnod pan lunir y rhestr honno, awdurdod bilio neu berson â buddiant o'r farn bod y rhestr yn anghywir oherwydd bod y swyddog rhestru wedi dyfarnu band prisio anghywir, rhaid gwneud unrhyw gynnig i newid y rhestr o ran y mater hwnnw ddim diweddarach na 30 Medi 2006.

Mae rheoliad 3(4) yn mewnosod cyfeiriad at adran 22B(10) o Ddeddf 1992 yn rheoliad 15(1) o Reoliadau 1993. Mae adran 22B(10) o Ddeddf 1992 yn ei gwneud yn ofynnol i awdurdod bilio i adneuo copi o'r rhestr brisio a dderbynnir ganddo o dan adran 22B(9) o'r Ddeddf honno yn ei brif swyddfa. Mae rheoliad 15(1) yn ymwneud â'r terfyn amser o fewn pa bryd y mae swyddog rhestru (ar ôl iddo newid rhestr brisio) i gyflwyno hysbysiad i'r awdurdod bilio yn datgan effaith y newid hwnnw. Mae rheoliad 15(1) yn gorfodi'r awdurdod hwnnw i newid y copi o'r rhestr brisio a adneuwid yn ei brif swyddfa.

for the alteration of a valuation list compiled under section 22 or section 22A of the 1992 Act may be made later than 31 December 2005.

Regulation 3(3)(b) amends regulation 5(3) of the 1993 Regulations such that it relates only to valuation lists compiled under section 22 or section 22A of the 1992 Act.

Regulation 3(3)(c) inserts a new regulation 5(3A) into the 1993 Regulations. Regulation 5(3A) provides that, subject to regulations 5(4) and 8(3)(a) of the 1993 Regulations, where in relation to a dwelling shown in a section 22B valuation list on the day on which that list is compiled, a billing authority or an interested person is of the opinion that the list is inaccurate by reason of the listing officer having determined an incorrect valuation band, any proposal for the alteration of the list as regards that matter must be made not later than 30 September 2006.

Regulation 3(4) inserts a reference to section 22B(10) of the 1992 Act into regulation 15(1) of the 1993 Regulations. Section 22B(10) of the 1992 Act requires a billing authority to deposit a copy of the valuation list that it receives under section 22B(9) of that Act at its principal office. Regulation 15(1) concerns the time limit within which a listing officer (having altered a valuation list) is to serve notice on the billing authority stating the effect of that alteration. Regulation 15(1) obliges that authority to alter the copy of the valuation list deposited at its principal office.

**2005 Rhif 181 (Cy.14)****2005 No. 181 (W.14)****Y DRETH GYNGOR, CYMRU****COUNCIL TAX, WALES****Rheoliadau'r Dreth Gyngor (Newid Rhestrau ac Apelau) (Diwygio) (Cymru) 2005****The Council Tax (Alteration of Lists and Appeals) (Amendment) (Wales) Regulations 2005***Wedi'u gwneud* 1 Chwefror 2005*Made* 1 February 2005*Yn dod i rym* 2 Chwefror 2005*Coming into force* 2 February 2005

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol o dan adrannau 24 a 113 o Ddeddf Cyllid Llywodraeth Leol 1992(1) a freiniwyd bellach yng Nghynulliad Cenedlaethol Cymru i'r graddau y maent yn arferadwy yng Nghymru(2):

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on the Secretary of State under sections 24 and 113 of the Local Government Finance Act 1992(1) which are now vested in the National Assembly for Wales so far as exercisable in Wales(2):

**Enwi, cychwyn a chymhwyso****Name, commencement and application**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Dreth Gyngor (Newid Rhestrau ac Apelau) (Diwygio) (Cymru) 2005 a deuant i rym ar 2 Chwefror 2005.

1.-(1) These Regulations are called the Council Tax (Alteration of Lists and Appeals) (Amendment) (Wales) Regulations 2005 and come into force on 2 February 2005.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru yn unig.

(2) These Regulations apply in relation to Wales only.

**Dehongli****Interpretation**

2. Yn y Rheoliadau hyn -

2. In these Regulations -

ystyr "Rheoliadau 1993" ("*the 1993 Regulations*") yw Rheoliadau'r Dreth Gyngor (Newid Rhestrau ac Apelau) 1993(3).

"the 1993 Regulations" ("*Rheoliadau 1993*") means the Council Tax (Alteration of Lists and Appeals) Regulations 1993(3).

**Diwygiadau i Reoliadau 1993****Amendments to the 1993 Regulations**

3.-(1) Diwygir Rheoliadau 1993 yn unol â pharagraffau (2) i (4).

3.-(1) The 1993 Regulations are amended in accordance with paragraphs (2) to (4).

(2) Yn rheoliad 2(1), yn lle'r diffiniad o "list" rhodder -

(2) In regulation 2(1), for the definition of "list" there is substituted -

""list" means, other than in regulation 5(1A), (3) and (3A), a valuation list compiled under section 22, section 22A or section 22B of the Act;".

""list" means, other than in regulation 5(1A), (3) and (3A), a valuation list compiled under section 22, section 22A or section 22B of the Act;".

(1) 1992 p.14.

(1) 1992 c.14.

(2) *Gweler* Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(2) *See* the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(3) O.S. 1993/290 fel y'i diwygiwyd gan O.S. 1994/1746, O.S. 1995/363, O.S. 1996/613, O.S. 1996/619, O.S. 2000/409 ac O.S. 2001/1439.

(3) S.I. 1993/290 as amended by S.I. 1994/1746, S.I. 1995/363, S.I. 1996/613, S.I. 1996/619, S.I. 2000/409 and S.I. 2001/1439.

(3) Yn rheoliad 5 -

(a) ar ôl paragraff (1), mewnosoder-

"(1A) No proposal may be made later than 31 December 2005 in relation to a list compiled under section 22 or section 22A of the Act other than in respect of paragraphs (2) and (6) and regulation 8(3)(a) and (9).";

(b) ym mharagraff (3)-

(i) ar ôl y geiriau "a list" mewnosoder "compiled under section 22 or 22A of the Act";

(ii) yn lle "the list" rhodder "that list"; ac

(c) ar ôl paragraff (3), mewnosoder -

"(3A) Subject to paragraph (4) and regulation 8(3)(a), where, in relation to a dwelling shown in a list compiled under section 22B of the Act on the day on which it is compiled, a billing authority or an interested person is of the opinion mentioned in paragraph (1) by reason of the matter mentioned in sub-paragraph (c), any proposal for the alteration of that list as regards that matter must be made not later than 30 September 2006."

(4) Yn rheoliad 15(1), yn lle "section 22(8) or section 22A(10)", rhodder "section 22(8), section 22A(10) or section 22B(10)".

(3) In regulation 5 -

(a) after paragraph (1), insert -

"(1A) No proposal may be made later than 31 December 2005 in relation to a list compiled under section 22 or section 22A of the Act other than in respect of paragraphs (2) and (6) and regulation 8(3)(a) and (9).";

(b) in paragraph (3) -

(i) after the words "a list" insert "compiled under section 22 or 22A of the Act";

(ii) for "the list" substitute "that list"; and

(c) after paragraph (3), insert -

"(3A) Subject to paragraph (4) and regulation 8(3)(a), where, in relation to a dwelling shown in a list compiled under section 22B of the Act on the day on which it is compiled, a billing authority or an interested person is of the opinion mentioned in paragraph (1) by reason of the matter mentioned in sub-paragraph (c), any proposal for the alteration of that list as regards that matter must be made not later than 30 September 2006."

(4) In regulation 15(1), for "section 22(8) or section 22A(10)", substitute "section 22(8), section 22A(10) or section 22B(10)".

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

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

1 Chwefror 2005

1 February 2005

*D. Elis-Thomas*

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(1) 1998 p.38.

(1) 1998 c.38.

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