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OFFERYNNAU STATUDOL  
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WELSH STATUTORY  
INSTRUMENTS

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**2014 Rhif 379 (Cy. 44)**

**2014 No. 379 (W. 44)**

**ARDRETHU A PHRISIO,  
CYMRU**

**RATING AND VALUATION,  
WALES**

Rheoliadau Ardrethu Annomestig  
(Casglu a Gorfodi) (Rhestri Lleol)  
(Diwygio) (Cymru) 2014

The Non-Domestic Rating  
(Collection and Enforcement)  
(Local Lists) (Amendment) (Wales)  
Regulations 2014

**NODYN ESBONIADOL**

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

Mae Rheoliadau Ardrethu Annomestig (Casglu a Gorfodi) (Rhestri Lleol) 1989 ("Rheoliadau 1989") yn gwneud darpariaeth ar gyfer casglu a gorfodi ardrethi annomestig. Mae'r Rheoliadau hyn yn diwygio Rheoliadau 1989.

Mae rheoliad 2(2) yn galluogi awdurdod bilio (oni bai y gofynnir am gopi caled) i ddarparu'r wybodaeth y mae'n ofynnol iddi gael ei darparu gyda hysbysiad galw am dalu ardrethi annomestig, drwy gyhoeddi'r wybodaeth honno ar wefan.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal aseiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

**EXPLANATORY NOTE**

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

The Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989 ("the 1989 Regulations") make provision for the collection and enforcement of non-domestic rates. These Regulations amend the 1989 Regulations.

Regulation 2(2) enables a billing authority (unless a hard copy is requested) to supply the information required to be supplied with a non-domestic rating demand notice by publishing that information on a website.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

**2014 Rhif 379 (Cy. 44)**

**ARDRETHU A PHRISIO,  
CYMRU**

**Rheoliadau Ardrethu Annomestig  
(Casglu a Gorfodi) (Rhestri Lleol)  
(Diwygio) (Cymru) 2014**

*Gwnaed* 20 Chwefror 2014

*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru* 24 Chwefror 2014

*Yn dod i rym* 17 Mawrth 2014

**2014 No. 379 (W. 44)**

**RATING AND VALUATION,  
WALES**

**The Non-Domestic Rating  
(Collection and Enforcement)  
(Local Lists) (Amendment) (Wales)  
Regulations 2014**

*Made* 20 February 2014

*Laid before the National Assembly for Wales*  
24 February 2014

*Coming into force* 17 March 2014

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 62 a 143(1) a (2) o Ddeddf Cyllid Llywodraeth Leol 1988(1), a pharagraffau 1 a 2(2)(gf) ac (h) o Atodlen 9 iddi, ac a freiniwyd bellach ynddynt hwy(2).

**Enwi, cychwyn a chymhwyso**

**1.**—(1) Enw'r Rheoliadau hyn yw Rheoliadau Ardrethu Annomestig (Casglu a Gorfodi) (Rhestri Lleol) (Diwygio) (Cymru) 2014.

(2) Daw'r Rheoliadau hyn i rym ar 17 Mawrth 2014.

The Welsh Ministers make the following Regulations in exercise of the powers conferred on the Secretary of State by sections 62 and 143(1) and (2) of, and paragraphs 1 and 2(2)(gf) and (h) of Schedule 9 to, the Local Government Finance Act 1988(1) and now vested in them(2).

**Title, commencement and application**

**1.**—(1) The title of these Regulations is the Non-Domestic Rating (Collection and Enforcement) (Local Lists) (Amendment) (Wales) Regulations 2014.

(2) These Regulations come into force on 17 March 2014.

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(1) 1988 p.41. Gweler adran 146(6) i gael y diffiniad o "prescribed". Mae diwygiadau perthnasol wedi cael eu gwneud i baragraff 1 o Atodlen 9 i Ddeddf Cyllid Llywodraeth Leol 1988 gan baragraff 89 o Atodlen 13 i Ddeddf Tribiwnlysoedd, Llysoedd a Gorfodi 2007 (p.15), ond nid yw'r ddarpariaeth honno mewn grym. Mewnosodwyd paragraff 2(2)(gf) o Atodlen 9 i'r Ddeddf honno gan adran 8(2) o Ddeddf Cyllid Llywodraeth Leol 2012 (p.17). Diwygiwyd paragraff 2(2)(h) o Atodlen 9 i Ddeddf Cyllid Llywodraeth Leol 1988 gan adran 8(3) o Ddeddf Cyllid Llywodraeth Leol 2012.

(2) Trosglwyddwyd pwerau'r Ysgrifennydd Gwladol, o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru o dan adran 162 o Ddeddf Llywodraeth Cymru 2006 (p.32), a pharagraff 30 o Atodlen 11 iddi.

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(1) 1988 c.41. See section 146(6) for the definition of "prescribed". Relevant amendments have been made to paragraph 1 of Schedule 9 to the Local Government Finance Act 1988 by paragraph 89 of Schedule 13 to the Tribunals, Courts and Enforcement Act 2007 (c.15), but that provision is not in force. Paragraph 2(2)(gf) of Schedule 9 to that Act was inserted by section 8(2) of the Local Government Finance Act 2012 (c.17). Paragraph 2(2)(h) of Schedule 9 to the Local Government Finance Act 1988 was amended by section 8(3) of the Local Government Finance Act 2012.

(2) The powers of the Secretary of State were transferred, 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). The functions of the National Assembly for Wales were transferred to the Welsh Ministers under section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c.32).

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

(3) These Regulations apply in relation to Wales.

## Diwygio Rheoliadau

**2.—**(1) Mae Rheoliadau Ardrethu Annomestig (Casglu a Gorfodi) (Rhestri Lleol) 1989(1) wedi eu diwygio yn unol â pharagraff (2).

(2) Yn rheoliad 2 (cyflwyno hysbysiadau)—

(a) ym mharagraff (3)—

(i) hepgorer y geiriau “, or any information required by the demand notice regulations to be supplied to any person when a demand notice (within the meaning of Part II of these Regulations) is served”;

(ii) yn is-baragraff (a)—

(aa) yn lle “given, served or supplied”, rhodder “given or served”; a

(bb) hepgorer “or information”;

(iii) yn is-baragraff (b)—

(aa) yn lle “given, served or supplied”, rhodder “given or served”;

(bb) ym mharagraff (i) hepgorer “or information”;

(b) ar ôl paragraff (3) mewnosoder—

“(3A) Without prejudice to section 233 of the Local Government Act 1972(2) and subject to paragraphs (5) and (6) below, any information required by the demand notice regulations to be supplied to any person when a demand notice (within the meaning of Part II of these Regulations) is served—

(a) may be so supplied by sending the information to that person by electronic communication to such address as may be notified by that person for that purpose; or

(b) subject to paragraph (3B) is treated as supplied to that person where the billing authority has published the information on a website and has notified that person by way of the demand notice of—

## Amendment of Regulations

**2.—**(1) The Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989(1) are amended in accordance with paragraph (2).

(2) In regulation 2 (service of notices)—

(a) in paragraph (3)—

(i) omit the words “, or any information required by the demand notice regulations to be supplied to any person when a demand notice (within the meaning of Part II of these Regulations) is served”;

(ii) in sub-paragraph (a)—

(aa) for “given, served or supplied”, substitute “given or served”; and

(bb) omit “or information”;

(iii) in sub-paragraph (b)—

(aa) for “given, served or supplied”, substitute “given or served”;

(bb) in paragraph (i) omit “or information”;

(b) after paragraph (3) insert—

“(3A) Without prejudice to section 233 of the Local Government Act 1972(2) and subject to paragraphs (5) and (6) below, any information required by the demand notice regulations to be supplied to any person when a demand notice (within the meaning of Part II of these Regulations) is served—

(a) may be so supplied by sending the information to that person by electronic communication to such address as may be notified by that person for that purpose; or

(b) subject to paragraph (3B) is treated as supplied to that person where the billing authority has published the information on a website and has notified that person by way of the demand notice of—

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(1) O.S. 1989/1058. Cafodd diwygiadau perthnasol eu gwneud gan O.S. 2009/2706.

(2) 1972 (p.70). Diddymwyd adran 233(6) gan Atodlen 2 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976 (p.57). Nid yw'r diwygiadau eraill i'r adran honno yn berthnasol i'r Rheoliadau hyn.

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(1) S.I. 1989/1058. Relevant amendments were made by S.I. 2009/2706.

(2) 1972 (c.70). Section 233(6) was repealed by Schedule 2 of the Local Government (Miscellaneous Provisions) Act 1976 (c.57). Other amendments to that section are not relevant to these Regulations.

- (i) the publication of the information on a website;
- (ii) the address of that website; and
- (iii) the place on the website where the information may be accessed.

(3B) Where a person requests a hard copy of the information, the authority must supply the information in hard copy as soon as practicable following the request.”; ac

- (c) ym mharagraff (5) yn lle “for the purpose of paragraph (3)(a)” rhodder “for the purposes of paragraphs (3)(a) or (3A)(a)”;
- (d) ym mharagraff (6) yn lle “for the purpose of paragraph (3)(a)” rhodder “for the purposes of paragraphs (3)(a) or (3A)(a)”.

- (i) the publication of the information on a website;
- (ii) the address of that website; and
- (iii) the place on the website where the information may be accessed.

(3B) Where a person requests a hard copy of the information, the authority must supply the information in hard copy as soon as practicable following the request.”; and

- (c) in paragraph (5) for “for the purpose of paragraph (3)(a)” substitute “for the purposes of paragraphs (3)(a) or (3A)(a)”;
- (d) in paragraph (6) for “for the purpose of paragraph (3)(a)” substitute “for the purposes of paragraphs (3)(a) or (3A)(a)”.

*Lesley Griffiths*

Y Gweinidog Llywodraeth Leol a Busnes y Llywodraeth, un o Weinidogion Cymru

20 Chwefror 2014

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Minister for Local Government and Government Business, one of the Welsh Ministers

20 February 2014

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