
WELSH STATUTORY INSTRUMENTS

2023 No. 350

The Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2023

PART 2

Alteration of Local Lists

Proposals: general

11.—(1) Subject to regulation 12, a proposal about a hereditament must be made within the period of 4 months beginning with the date on which a check was completed in relation to the hereditament.

(2) A proposal must be made by serving it on the VO—

- (a) using the VO’s electronic portal, or
- (b) in another manner agreed with the VO.

(3) The date a proposal is made is the date on which it is served on the VO.

(4) A proposal must include—

- (a) the name, address and contact details of the proposer,
- (b) the grounds of the proposal including the particulars on which each of the grounds is based (“particulars of the grounds of the proposal”),
- (c) details of the proposed alteration of the list,
- (d) the date from which the proposer asserts the proposed alteration should have effect,
- (e) the date on which the proposal is served on the VO,
- (f) evidence to support the grounds of the proposal, and
- (g) a statement as to how the evidence supports the grounds of the proposal.

(5) A proposal about a hereditament (“the hereditament”) made on the ground set out in regulation 4(1)(e) must also include—

- (a) the date of the decision about the other hereditament (“the decision”),
- (b) the name of the tribunal or court which made the decision,
- (c) information to identify the other hereditament,
- (d) the reasons the proposer believes that the decision is relevant to the rateable value or other information shown in the list for the hereditament, and
- (e) the reasons the proposer believes that, by reason of the decision, the rateable value or other information shown in the list for the hereditament is inaccurate.

(6) If a proposal is made on one or more of the grounds set out in regulation 4(1)(a) to (g) and (i) to (l) and the hereditament is occupied under a lease, easement or licence to occupy (or, where subparagraph (c) applies, was so occupied), the proposal must also include—

- (a) where the proposer is the occupier, the amount payable each year by the proposer, as at the date the proposal is made, in respect of the lease, easement or licence to occupy, the date at which that amount first became payable and details of any rent-free periods;
 - (b) where the proposer is not the occupier but is an IP in relation to that hereditament, the amount payable each year to the proposer, as at the date the proposal is made, in respect of the lease, easement or licence to occupy, the date at which that amount first became payable and details of any rent-free periods;
 - (c) where the proposer is not an IP in relation to that hereditament, the amount that was payable each year by or to the proposer (as the case may be), as at the last day on which the proposer was such an IP, in respect of the lease, easement or licence to occupy, the date on which that amount first became payable and details of any rent-free periods.
- (7) A proposal may deal with more than one hereditament only—
- (a) if it is made on the ground set out in regulation 4(1)(k) or (l), or
 - (b) where the person making the proposal does so in the same capacity in relation to each hereditament and each hereditament is within the same building or the same curtilage.
- (8) A proposal made on the ground set out in regulation 4(1)(d) or (f) may include a request for either or both of the following—
- (a) the restoration of the list to its state before the alteration was made;
 - (b) a further alteration of the list in respect of the hereditament.
- (9) Subject to paragraph (10) and (11), a person may only make a proposal to alter a list if they have provided a confirmation to the VO before the day on which the next list is compiled.
- (10) A person may only make a proposal to alter a list on the ground set out in regulation 4(1)(d) or (f) if they have provided a confirmation to the VO before—
- (a) the day on which the next list is compiled, or
 - (b) the end of the period of six months beginning with the date of alteration,
- whichever is the later.
- (11) A person may only make a proposal to alter a list on the ground set out in regulation 4(1)(e) if they have provided a confirmation to the VO before the end of the period of six months beginning with the day on which the next list is compiled.

Commencement Information

II Reg. 11 in force at 1.4.2023, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2023, Section 11.