

2009 No. 255 (W. 27)

**RATING AND VALUATION,
WALES**

**The Non-Domestic Rating
(Unoccupied Property) (Wales)
(Amendment) Regulations 2009**

EXPLANATORY NOTE

(This note is not part of the Regulations)

Under section 45 of the Local Government Finance Act 1988 ('the 1988 Act') non-domestic rates are payable on an unoccupied hereditament if it fulfils the conditions set out in section 45(1). Those conditions include a condition that the hereditament falls within a prescribed class.

The Non-Domestic Rating (Unoccupied Property) Regulations 2008 ('the 2008 Regulations') prescribe a class of unoccupied hereditaments on which rates are payable. The class consists of all unoccupied hereditaments to which none of the conditions in regulation 4 applies.

Regulation 4 excludes from liability for non-domestic rates under section 45 of the 1988 Act all hereditaments shown in a non-domestic rating list with a rateable value less than a specified amount, currently £2,200. These Regulations increase that figure to £15,000 for the purpose of a hereditament shown in the list for the financial year beginning on 1 April 2009 only.

A regulatory impact assessment has been prepared in connection with these Regulations. A copy can be obtained at <http://www.assemblywales.org/bus-home/buslegislation/bus-legislation-sub>.

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(Unoccupied Property) (Wales)
(Amendment) Regulations 2009**

Made 9 February 2009

Laid before the National Assembly for Wales
11 February 2009

Coming into force 7 March 2009

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 45(1)(d), (9) and 146(6) of the Local Government Finance Act 1988⁽¹⁾ and now vested in them⁽²⁾, make the following Regulations:

Title, commencement, and application

1.—(1) The title of these Regulations is the Non-Domestic Rating (Unoccupied Property) (Wales) (Amendment) Regulations 2009 and they come into force on 7 March 2009.

(2) These Regulations apply in relation to the financial year beginning with 1 April 2009.

Property liable for unoccupied property rates

2. In regulation 4(g) of the Non-Domestic Rating (Unoccupied Property) (Wales) Regulations 2008⁽³⁾ for “£2,200” substitute “£15,000”.

(1) 1988 c.41.

(2) The functions of the Secretary of State contained in the Local Government Finance Act 1988 in relation to Wales were transferred to the National Assembly for Wales by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672, article 2, Schedule 1). The functions of the National Assembly for Wales vested in the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c.32).

(3) S.I. 2008/2499 (W.217).

Brian Gibbons

Minister for Social Justice and Local Government, one
of the Welsh Ministers

9 February 2009