

Explanatory Memorandum to the Non-Domestic Rating (Demand Notices) (Wales) (Amendment) Regulations 2010

This Explanatory Memorandum has been prepared by Local Government Finance Division and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 24.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Non-Domestic Rating (Demand Notices) (Wales) (Amendment) Regulations 2010.

Carl Sargeant

Minister for Social Justice and Local Government

6 February 2010

1. Description

The content of non-domestic rating demand notices and the explanatory information that accompanies the notices are prescribed in the Non - Domestic Rating (Demand Notices) (Wales) Regulations 1993.

The accompanying information includes an explanation of the various reliefs available to a ratepayer and procedures for appeals. The Welsh Ministers prescribe the wording to be used.

2. Matters of special interest to the Subordinate Legislation Committee

None

3. Legislative Background

The powers to amend the Demand Notices Regulations are contained in sections 62, 143(2), 146(6) of, and paragraphs 1 and 2 (2) of Schedule 9 to the Local Government Finance Act 1988, and section 26(3) of the Welsh Language Act 1993. These powers were transferred to the Assembly under the National Assembly for Wales (Transfer of Functions) Order 1999 and are now vested in the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

The Regulations will follow the negative procedure.

4. Purpose and intended effect of the legislation

The regulations update the wording of the explanatory information sent to rate payers with their non domestic rates demands notices to include a summary of the rates relief available for small and unoccupied business hereditaments from 1 April 2010, and to give notification of the 2010 revaluation

5. Consultation

These amendments update factual information, are technical in nature, have no policy or financial implications and impose no additional costs. Therefore no consultation exercise has been undertaken

6. Regulatory Impact Assessment (RIA)

A regulatory impact assessment has not been produced for this instrument as it simply amends the main small business rates relief thresholds so that the funding for relief is not reduced following the non domestic rating revaluation, ensuring that most business whose valuations have increased in line with the national average and are currently within the relief thresholds continue to do so.