

SL(6)498 – The Central Rating List (Wales) (Amendment) Regulation 2024

Background and Purpose

The Central Rating List (Wales) Regulations 2005 (“the 2005 Regulations”) prescribe the content of the central non-domestic rating list for Wales. Designated persons (companies which are the ratepayer in relation to central list hereditaments) are named in the Schedule of the 2005 Regulations. These Regulations amend the 2005 Regulations to update references to designated persons and omit those which are no longer central list ratepayers.

Procedure

Negative.

The Regulations were made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.

Technical Scrutiny

The following two points are identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2(vi) - that its drafting appears to be defective or it fails to fulfil statutory requirements.

Regulation 4 amends regulation 8 of the 2005 Regulations to change the name of British Telecommunications plc in each place it occurs, one of which is listed as being regulation 8(5)(b) of the 2005 Regulations. However, British Telecommunications plc does not appear in regulation 8(5)(b) of the 2005 Regulations, it appears at the end of regulation 8(5) which applies to both regulation 8(5)(a) and 8(5)(b).

2. Standing Order 21.2(v) – that for any particular reason its form or meaning needs further explanation.

Regulation 16 omits “The British Waterway Board” from the first column of Part 10 of the Schedule to the 2005 Regulations. This means that there is an entry in the second column of Part 10 for which no designated person is named. It would be helpful if it could be confirmed whether this was the intention or whether both entries in the first row of the table should be omitted.

Merits Scrutiny



The following two points are identified for reporting under Standing Order 21.3 in respect of this instrument.

3. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.

No consultation was undertaken by the Welsh Government in relation to these Regulations. The Explanatory Memorandum states:

The Welsh Government has not undertaken a consultation. The 2024 Regulations provide for administrative amendments which will not have any practical effect on the Valuation Office Agency or central list ratepayers.

4. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.

No regulatory impact assessment was undertaken by the Welsh Government in relation to these Regulations. The Explanatory Memorandum states:

A Regulatory Impact Assessment has not been prepared for the 2024 Regulations as they make factual amendments to update the 2005 Regulations and do not alter the impact of the policy. This is in line with the policy set out in the Welsh Ministers' Regulatory Impact Assessment Code for Subordinate Legislation.

Welsh Government response

A Welsh Government response is required in relation to the technical reporting points only.

Government Response:

Technical Scrutiny point 1: The Government acknowledges that the reference should have been to regulation 8(5) of the Central Rating List (Wales) Regulations 2005, rather than to regulation 8(5)(b). However, as there is only one reference to “British Telecommunications plc” in regulation 8(5) the Government considers that the drafting is sufficiently clear.

The Government’s editorial team have confirmed that they would apply the amendment as intended.

Technical Scrutiny point 2: The Government confirms that it is the intention of the drafting to have no designated person in the first column of the table in Part 10 of the Schedule to the instrument.

Committee Consideration

The Committee considered the instrument and Government response at its meeting on 8 July 2024 and reports to the Senedd in line with the reporting points above.

