



Llywodraeth Cymru
Welsh Government

Visitor Accommodation (Register and Levy) Etc. (Wales) Bill

Explanatory Memorandum
incorporating the
Regulatory Impact Assessment and
Explanatory Notes

November 2024

Visitor Accommodation (Register and Levy) Etc. (Wales) Bill

Explanatory Memorandum to the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill.

This Explanatory Memorandum has been prepared by the Welsh Treasury of the Welsh Government and is laid before Senedd Cymru.

Member's Declaration

In my view the provisions of the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill, introduced by me on the 25 November 2024, would be within the legislative competence of Senedd Cymru.

Mark Drakeford MS

Cabinet Secretary for Finance & Welsh Language
Member of the Senedd in charge of the Bill

25 November 2024

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PART 1 – EXPLANATORY MEMORANDUM

1. Description

A visitor levy will be a new local tax designed in a way that works for local communities, businesses, and visitors to Wales. Local taxes are an investment into our future to fund local expenditure, our public assets today: the roads, visitor centres, clean beaches, parks, leisure centres and urban spaces would not exist without taxes. Local taxes are important revenue streams which ensure the continued sustainability of local services and infrastructure to our communities.

The term ‘levy’ is used as it relates to a direct payment to government non-related to the value of goods and services. The levy is a local tax which will fund local government expenditure.

The Visitor Accommodation (Register and Levy) Etc. (Wales) Bill (“the Bill”) will give local authorities in Wales a power to charge a levy on overnight visitors staying in visitor accommodation in their area. The levy will be discretionary in nature, as it will be for local authorities to decide whether to introduce it, following consultation with their communities and local businesses. It will be a per person per night charge, applying to all people who pay to stay in overnight accommodation. There will be a cap of 31 days on the number of chargeable nights and certain overnight stays will be excluded, not payable or subject to a refund. It will be collected and managed by the Welsh Revenue Authority (WRA).

The Bill also establishes a register of visitor accommodation providers (providers) operating in Wales, which will also detail the type and location of the premises they operate across Wales. Providers are required to register, regardless of whether the local authority area they are operating in has implemented the levy.

There is also a power for Welsh Ministers to publish information derived from the register. This information may be of interest to local authorities, visitors, businesses and researchers.

2. Legislative Competence

Senedd Cymru ("the Senedd") has the legislative competence to make the provisions in the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill ("the Bill") pursuant to Part 4 of the Government of Wales Act 2006 ("GoWA 2006") as amended by the Wales Act 2017.

3. Purpose and intended effect of the legislation

3.1 Introduction

- 3.1.1 The [Programme for Government](#) commits the Welsh Government to 'introduce legislation permitting local authorities to raise a visitor levy'. It was taken forward as part of the Welsh Government's Co-operation Agreement with Plaid Cymru from November 2021 to May 2024. This included the policy formulation, consultation, and overall approach to the proposals.
- 3.1.2 The proposals laid before the Senedd are based on a local discretionary visitor levy. It will be for local authorities to determine whether to introduce a visitor levy if the relevant provisions are approved by the Senedd.
- 3.1.3 The visitor economy is a major source of jobs and economic growth across Wales. Our ambition is to grow tourism for the benefit of Wales by supporting local communities in a way that is sustainable for the environment and people of Wales.
- 3.1.4 In a particularly challenging economic climate following a pandemic and cost-of-living crisis, local services in Wales continue to be stretched. The visitor levy will ensure a modest but proportionate contribution is paid by visitors, which can then be reinvested back into those local areas. The principle of fairness underpins visitor levies and ensures a more even share of the costs between residents and visitors. Public goods and services are integral to the overall visitor experience, and a visitor levy can help support their funding, encouraging a more sustainable approach to tourism. The levy could also provide new opportunities for investment from local authorities through providing additional revenue.
- 3.1.5 The visitor levy's policy aim is to ensure a more even share of costs to fund local services and infrastructure that benefit visitors between resident populations and visitors and provide local authorities with the ability to generate additional revenue that can be invested back into local services and infrastructure to support tourism and support our ambitions for sustainable tourism whilst in turn enhancing the Gross Value Added (GVA) from tourism in Wales.
- 3.1.6 The levy will apply to overnight stays within visitor accommodation and will be a self-assessed tax. Providers will be required to account for each visitor, with the levy applying per visitor, and file a return and payment to the Welsh Revenue Authority, or else incur penalties for failing to do so.
- 3.1.7 The Bill includes a register of visitor accommodation providers for multiple reasons. Primarily, it will aid understanding of who should be remitting the levy in a local authority area and will satisfy registration

requirements for that scheme. It will also support local authorities and Welsh Government with decision making and policy related to the visitor levy. Furthermore, it will provide a single source of data of all visitor accommodation available across Wales, providing an accurate, comprehensive and up to date dataset. The information may also be of benefit to any future related policy areas such as proposed plans for statutory licencing of holiday lets.

3.1.8 In summary, the legislation will provide local authorities with the power to adopt a new local discretionary visitor levy. It will be for local authorities to determine whether to introduce a visitor levy, following consultation with their local area. The register aims to facilitate the administration and management of the visitor levy and supply information to local authorities that might consider future implementation. Additionally, the register will offer Welsh Ministers valuable data and insights into visitor accommodation, aiding in more precise sector analysis and research.

3.1.9 The provisions of the Bill are as follows:

- **A duty, on the part of Welsh Ministers, to keep a register of visitor accommodation providers in Wales.**
- **A duty of visitor accommodation providers to be registered:** a visitor accommodation provider must be registered in respect of the visitor accommodation provided or offered to provide.
- **A power for Welsh Ministers to publish information derived from the register.**
- **Power to impose a levy:** providing local authorities with a discretionary power to enable them to charge a visitor levy on overnight stays.
- **Liability to pay:** liability to submit returns and remit the levy will lie with the visitor accommodation provider. They may choose to pass those costs on to visitors.
- **Basis and calculation of levy:** a per person per night charge on overnight accommodation. The rate will be set nationally to ensure consistency. Those staying longer than 31 nights will not be subject to the levy.
- **Repayments of an amount equivalent to the levy:** a person can apply to the Welsh Revenue Authority (WRA) for repayment if they provided consideration (money) for an overnight stay in visitor accommodation under a contract and the person stayed in the accommodation because they were unable to reside in their sole or main residence due to a risk to their health, safety, or welfare, or the accommodation was provided to a person who was homeless at

the time of the stay, or the person who stayed overnight was receiving a disability benefit and was accompanied by another person.

- **Collection:** Liable persons must submit a return every quarter or may submit annually depending on the amount of levy estimated to be collected (those providers estimating a liability of less than £1000 across the tax year can submit annually), to the Welsh Revenue Authority (WRA).
- **Use of net proceeds:** Local authorities must use the net proceeds of a visitor levy to facilitate achievement of objectives that relate to “destination management and improvement”.
- **Reporting and Review:** Local authorities must keep a separate account for the visitor levy by reporting annually on the amount of money collected and the use of net proceeds.
- **Introduction and Administration of Levy:** Steps a local authority must take before introducing, changing or abolishing a levy in their area. Prior consultation requirements for a local authority.
- **Enforcement:** The WRA’s existing powers in the Tax Collection and Management (Wales) Act will be extended so that they can be used in relation to the visitor levy. For example, powers related to obtaining information, carrying out inspections, imposing penalties and ensuring the integrity of the tax system.
- **Appeals:** Appeals against Welsh Revenue Authority decisions relating to the visitor levy.
- **Power to extend Act to berths and moorings:** the Welsh Ministers may, following appropriate consultation, extend the Act to apply to berths and moorings.

3.2 Background & case for change

Positive Impacts of Tourism

3.2.1 Tourism is a significant contributor to the economy in Wales. There were over 69 million visits to Wales in 2023 representing a combined spend of over £4.95 billion. 8.65 million of these visits were overnight stays representing a spend of £2.02 billion¹. There have been significant Welsh Government and UK Government interventions to support the sector during a difficult economic climate following the pandemic. The current cost-of-living crisis is putting increased pressure

¹ [Domestic GB tourism statistics \(overnight trips\): 2022 to 2023 \(revised\) | GOV.WALES](#); [International inbound visits and spend to Wales \[HTML\] | GOV.WALES](#);

on people and businesses across Wales and presents a challenging economic outlook. We want to support the industry's recovery to ensure the visitor economy flourishes once more.

- 3.2.2 Tourism brings both positive and negative impacts. For example, tourism provides benefit through the provision of jobs, careers, economic growth, educational opportunities and preservation of historical sites and monuments. It represents a sizeable economic contribution to the Welsh economy with an estimated Gross Value Add of £3.8 billion (or 5.1% of total GVA across Wales) in 2022².
- 3.2.3 Visitors to Wales can enjoy a range of activities, from hiking mountains, spending a day at the beach, or enjoying our vibrant cities and towns. We have a rich offering of beautiful unique landscapes and a range of visitor attractions that continue to draw millions of visitors to our home every year. These visits represent a significant contribution to local economies, with tourism employing 159,000 people in Wales in 2022, a total of 11.8% of the workforce³. The visitor economy is variable in size across Wales and therefore in some areas there is a much higher proportion of the workforce employed in the tourism industry. Therefore, these areas receive a much greater benefit from tourism in comparison to areas with smaller visitor economies (and lower numbers of visitors).
- 3.2.4 This Bill seeks to provide new opportunities for investment by a local authority through providing additional revenue. It will empower local authorities to make decisions in line with needs of their communities. This is in line with the wider policy approach which the Welsh Government takes on local taxes.

Negative Externalities of Tourism

- 3.2.5 It is well recognised that tourism impacts tourist destinations in both positive and negative ways, encompassing economic, socio-cultural and environmental dimensions. Evidence indicates that negative impacts can extend to:
- Environmental costs with the natural environment being over-exploited:
 - Bio-diversity loss^{4,5} as natural environments are eroded or spoiled by foot-traffic and the built environment.
 - Soil and footpath erosion, as large volumes of tourists visit popular tourist sites⁶.

² [Wales Visitor Economy Profile: 2024 | GOV.WALES](#)

³ [Wales Visitor Economy Profile: 2024 | GOV.WALES](#)

⁴ [CEP-SS Sustainable Tourism.IP .03.e.pdf \(unece.org\)](#)

⁵ [The biodiversity implications of changes in coastal tourism due to climate change | Environmental Conservation | Cambridge Core](#)

⁶ [Tourism Impacts employment gender income A Lemma.pdf \(publishing.service.gov.uk\)](#)

- Littering and waste management challenges, as visitor numbers increase as does the amount of litter and impact on waste management services.
- Congestion, where transport infrastructure is unable to support visitor traffic in popular destinations^{7, 8}.
- Carbon emissions, caused by tourism related travel, estimated to account for 5% of all carbon emissions globally in 2016⁹.
- Social costs caused by shortage of housing supply as homes are purchased as second homes by visitors¹⁰:
 - This may lead to a loss of community and heritage, as people become priced out of an area in which they can no longer afford to live.

3.2.6 There is currently a market failure in tourism globally in that increased demand increases production and competition without account for environmental or natural resource impact¹¹. The phenomena of 'over-tourism' or unbalanced tourism is growing because as consumer demand increases so does the supply of services to meet that demand. Venice¹² and Iceland¹³ provide examples of destinations that have experienced a range of impacts as tourism has grown. The negative impacts have also been recognised by some institutions such as the OECD, who note that lack of funding in Iceland presented an issue in ameliorating negative impacts on fragile ecosystems and infrastructure¹⁴.

3.2.7 Bio-diversity loss and heavy littering were witnessed as visitor numbers boomed in hotspots during the COVID-19 pandemic. Research was undertaken by Natural Resources Wales to explore these impacts and understand the way nature responds to increased visitor numbers. Reduction in biodiversity, erosion and littering were all highlighted in the research as impacts that increased as visitor numbers increased¹⁵.

3.2.8 Finally, it should be recognised that there are also costs associated with the provision of services and infrastructure that are used by visitors. For example, visitors will use road infrastructure, public transport, car parks, street lighting, waste management services, public

⁷ [The economic contribution of the tourism economy in the UK.pdf \(visitbritain.org\)](#)

⁸ [Cornwall hit by 'tourist overcrowding' amid UK heatwave - BBC News](#), 2018
<https://www.visitbritain.org/sites/default/files/vb-corporate/Documents-Library/documents/EconomicCaseforTourism.pdf>

⁹ [Tourism's Carbon Emissions Measured in Landmark Report Launched At COP25 \(unwto.org\)](#)

¹⁰ [Research on second homes: evidence review summary | GOV.WALES](#)

¹¹ [On the need for sustainable tourism consumption - Richard Sharpley, 2021 \(sagepub.com\)](#)

¹² [The end of tourism? | Travel | The Guardian](#)

¹³ [\(PDF\) Social sustainability of tourism in Iceland: A qualitative inquiry \(researchgate.net\)](#)

¹⁴ [Iceland must balance growth in power and tourism industries with nature conservation, OECD says - OECD](#)

¹⁵ [Wildlife in Lockdown | Snowdonia National Park \(gov.wales\)](#)

toilets, tourist information centres, emergency and health services, footpaths, seating, and other built infrastructure. Taxes fund these critical elements, but currently there is nothing in the taxation system which directly accounts for visitor use of these services.

3.2.9 The provision of local infrastructure and services comes at a cost. In areas where there are large volumes of tourism, that cost is not fairly distributed between visitors and residents. Although tourist related businesses such as visitor accommodation providers may be paying Non-Domestic Rates, so do other businesses in the area which may be less aligned to the tourism offer. Therefore, the current local taxation system does not account for the unique negative externalities posed by tourism.

3.2.10 We can therefore see that there is a cost associated with tourism and we recognise the importance of protecting and sustaining both natural assets and local infrastructure. For areas that experience high volumes of visitors, the pressures on local authority services associated with tourism are increased and therefore costs are increased. These costs are currently met from existing local authority budgets (funded by a mixture of local taxes, borrowing and Welsh Government funding via the Budget process¹⁶).

3.2.11 We know that visitors to Wales enjoy our rich offering of nature and scenic landscapes. The most popular attractions in Wales in 2021 by share of visitors are “wildlife/nature reserves” which had a 28% share (4.8 million visits) and “country parks/gardens” which accounted for an 18% share (3.1 million visits). Free attractions, across all categories, also attract a larger share of visits (64%) than paid attractions (34%). As noted in the Visitor Attraction Survey (2021) the share of visits to the two above mentioned categories rose from a collective 26% in 2019 to a peak of 46% in 2021 as such, caution should be taken in interpreting this as a stable share of visitors and as we move further away from the COVID-19 period it is likely that share of visitors to these areas will drop down closer to the 2019 average.

¹⁶ [Microsoft Word - QG08-0006.dochttps://senedd.wales/media/0xzblz3g/qg08-0006-english.pdf](https://senedd.wales/media/0xzblz3g/qg08-0006-english.pdf)

Table 1 - Overall visits by admission type (2021)¹⁷

Admission type	Base	% of attractions	No. of visits	% of visits
Free	128	46%	11,177,283	64%
Paid	150	54%	6,251,012	36%
Total	278	100%	17,428,295	100%

Base: attractions that provided data (278)

3.2.12 Wales' natural environment and scenery was a key theme in previous research as to why people visited Wales. Our history, language, environment, and scenery were all key strengths, identified through qualitative research, that make Wales feel distinctive compared to other UK holiday destinations¹⁸. Of UK visitors staying overnight, the main reason for staying given was to enjoy the landscape /countryside/ beach (42%)¹⁹. The second main reason was to take part in outdoor or sporting activities (18%)²⁰.

3.2.13 More generally, there is a desire to grow tourism in Wales in a sustainable manner. We can therefore see that if the enabling conditions for tourism are not protected, then this could lead to a decline in visitor numbers. The landscape and natural beauty that attracts visitors to Wales can be negatively impacted by visitors. If funding is not available to ameliorate impacts, then there could be an impact on tourism attractors leading to a longer-term decline for tourism. Additionally, some areas may wish to enhance their local offering or services provided but lack the resources available to currently do this.

3.2.14 The tourism sector in Wales does not currently have a single source of data to provide an accurate assessment of the volume or types of visitor accommodation available across the country. This lack of information has hindered proper analysis of the impact (both positive and negative) that tourism has for local communities and makes it difficult for local authorities to properly assess and consider what interventions may be beneficial to their communities and visitors.

3.2.15 The wider economic context presents a challenging outlook for local authorities in Wales, with continued inflationary pressures, pay pressures, high energy costs as well as rising demand for services, leading to tough fiscal decisions at all levels of government. At a local authority level, without sufficient resource, the ability to fund activity

¹⁷ [Visits to tourist attractions: 2021 | GOV.WALES](#) pg.22, Fig 6.1

¹⁸ [Wales Visitor Survey 2019: Qualitative Research Findings \(gov.wales\)](#) pg.9

¹⁹ [Wales Visitor Survey 2019 UK Staying Visitors \(gov.wales\)](#) figure 3.6

²⁰ Ibid.

linked to destination management plans may also be hampered. This could lead to underfunding or funding being cut at a local level in spending areas that are important to the vitality of the visitor economy. This is because this spending can be assessed as a lower priority compared to other local needs.

Funding and local authority expenditure on tourism and tourism related activities

3.2.16 There is currently no 'direct' contribution via taxation from visitors towards associated public costs from their visit. Visitors provide benefit to an area through their spending activity which supports many local economies across Wales. However, the externalities (negative impacts) of tourism are not currently factored into the price of services provided by the market as there is no tax or levy that currently exists to help account for this.

3.2.17 Table 2 shows that net current expenditure on tourism by local authorities in Wales fell by 44 per cent in real terms between 2013 – 2014 and 2023-24 and has remained broadly flat since 2016-17²¹. This spend relates to expenditure applied to encourage people to visit the area as allowed by section 144 of the Development of Tourism Act 1969²².

Table 2 - Net (current) expenditure by local authorities in Wales on tourism, £m (2024-25 prices)

	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	Change from 13-14 to 23-24
Tourism	18.4	14.7	12.5	11.1	10.7	10.5	10.6	10.4	10.1	11.0	10.3	-44%

Source: Welsh Government, Revenue Outturn

3.2.18 Local authority expenditure on other areas, such as environmental initiatives (it is well documented, for example, that litter and pollution can have a negative impact on tourism and the visitor experience^{23, 24}) as well as open spaces and cultural and heritage services²⁵, can also help to improve the attractiveness of an area to visitors.

²¹ [Revenue outturn expenditure summary, by service \(£ thousand\)](#)

²² This will include the costs of: (1) developing policies to promote tourism in the area (2) promoting and advertising the area to potential visitors (3) contributions to the Welsh tourist board (4) grants and loans given to support organisations offering attractions or other tourist related facilities (5) Information offices (visitor centres) and bureaux for the provision of information to visitors, including the costs of providing any literature for visitors, for example maps, tourist guides and 'what's-on' leaflets, etc

²³ [The Effects of Marine Debris on Beach Recreation and Regional Economies in Four Coastal Communities: A Regional Pilot Study \(noaa.gov\)](#)

²⁴ [Marine Litter Issues, Impacts and Actions \(www.gov.scot\)](#)

²⁵ To note: Cultural and heritage services in Wales are also funded directly by Welsh Government namely, culture and the arts via the Arts Council of Wales, the National Museum of Wales, the National Library of Wales; Creative Wales and other and support for the historic and natural environment via Cadw, the National Botanic Gardens and the Royal Commission for the Ancient and Historic Monuments of Wales ([Final budget 2023 to 2024: motion \(gov.wales\)](#))

3.2.19 However, whilst local authority expenditures on these areas will naturally vary from year to year, the combined net current expenditure by local authorities in Wales on these areas has declined in real terms over the past 10 years (see Table 3).

Table 3 - Net (current) expenditure by local authorities in Wales on other tourism-related areas, £m (2024-25 prices)

	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	Change from 13-14 to 23-24
Open spaces	82.9	78.0	75.8	75.4	75.4	68.7	66.1	67.1	72.4	75.7	73.5	-11%
Cultural and heritage services	56.8	53.3	45.8	43.6	45.0	42.8	39.8	43.6	43.6	38.8	38.2	-33%
Environmental initiatives	11.9	9.3	7.4	7.1	6.3	5.8	6.3	8.4	8.4	9.7	11.8	-1%

Source: Welsh Government, Revenue Outturn

3.3 Policy aims

3.3.1 The policy aims of the visitor levy are to:

- Ensure a more even share of costs to fund local services and infrastructure that benefit visitors between resident populations and visitors.
- Provide local authorities with the ability to generate additional revenue that can be invested back into local services and infrastructure that can support tourism.
- Support our ambitions for sustainable tourism²⁶.

3.3.2 The register will support the administration of the levy. It will also help us better understand the sector to help inform future policy interventions.

3.3.3 The visitor levy also links to the wider ambitions outlined within the [Programme for Government](#) to:

- Push forward towards a million Welsh speakers, and enable our tourism, sports and arts industries to thrive²⁷.
- Develop further effective tax, planning and housing measures to ensure the interests of local people are protected.
- Strengthen the autonomy and effectiveness of local government to make them more successful in delivering services.

²⁶ [Welcome to Wales: priorities for the visitor economy 2020 to 2025 | GOV.WALES](#)

²⁷ Principal councils will decide exactly how revenues are used. Welsh language efforts are one area where revenues may be allocated.

3.4 Visitor levies in other countries

- 3.4.1 Visitor levies are used across the world to the benefit of local communities and visitors. They are applied at varying geographical levels, from large urban areas to much smaller rural regions. Visitor levies are used in hundreds of destinations across the world, including, Amsterdam, the Balearic Islands, France, Germany, Catalonia, California, Italy, Greece, parts of Canada, and New Zealand.
- 3.4.2 More destinations in the UK are seeking to introduce visitor levies. The Visitor Levy (Scotland) Bill²⁸ was passed on 28 May 2024. The legislation gives local councils in Scotland the ability to levy overnight visitor accommodation if they wish to do so. It is expected that councils will be able to start charging the levy from April 2026.
- 3.4.3 Manchester introduced a City Visitor Charge²⁹ on 1 April 2023 for visitors staying overnight in certain accommodation. The city charge has raised £2.8m in its first year and revenue has been invested in street cleaning, marketing campaigns and major events. Many other English towns and cities are adopting a similar approach, with Chester, Bournemouth Christchurch and Poole exploring plans for a visitor charge.
- 3.4.4 A commonly implemented version of a visitor levy is on overnight stays in tourism accommodation. There is variation in the design, rates, and application of a tourism levy internationally and the rate of the levy ranges from £0.50 to £5.00 per night. It is often charged per person and tends to vary according to the accommodation type or cost.
- 3.4.5 There is little evidence to suggest visitor levies have a negative economic impact. There is also limited evidence around displacement effects. There is wider economic research related to the price elasticity of demand for tourism in certain destinations. However, a visitor levy is only one variable of the cost of tourism, and therefore there is no definitive research or evaluation which isolates a visitor levy as a variable which causes negative impacts.
- 3.4.6 There are numerous examples globally, that illustrate how a visitor levy is used to generate money that supports green areas, tidy streets, visitor services, local communities, conservation of landmarks, and public transport. For example, since 2016, the Balearic Islands have had a Sustainable Tax (ITS) to finance a 'fund to promote sustainable tourism'. ITS has financed 168 projects to completion, with a total value of €263 million and 27 new projects being approved in 2023 to a total value of €138 million³⁰. Projects funded relate to a wide variety of

²⁸ [Bill as passed \(parliament.scot\)](#)

²⁹ [Home - Manchester ABID](#)

³⁰ <https://www.gov.wales/review-impacts-visitor-levies-global-destinations>

issues, including the environment, sustainable tourism, cultural heritage, scientific research, training and employment, and social renting³¹.

3.4.7 In Iceland, between 2012 and 2021, an average of just under 80 projects per annum were funded, with an average grant of just over ISK 8 million (circa £47,000). Most of the projects funded by the Tourist Site Protection Fund involve access to and preservation of natural tourist attractions. Typical projects include the construction of footpaths and trails; access ramps, bridges, and handrails; viewing platforms and safety barriers; parking and toilet facilities; and signage and information boards³².

³¹ <http://www.illessostenibles.travel>.

³² <https://www.gov.wales/review-impacts-visitor-levies-global-destinations>

4. Consultation

4.1 Consultation on a discretionary visitor levy for local authorities

- 4.1.1 A 12-week public [consultation](#) on our initial proposals for a discretionary visitor levy for local authorities was undertaken from 20 September 2022 to 13 December 2022. A bilingual consultation document was made available online, along with an “easy read” version and an illustrated and simplified youth friendly version, published alongside a [Partial Regulatory Impact Assessment](#) (PRIA).
- 4.1.2 Respondents were asked to answer questions on issues relating to the design and operation of a visitor levy including:
- The principle and purpose of a visitor levy
 - Who should pay a visitor levy?
 - Who should charge and collect a visitor levy?
 - How a visitor levy could be applied?
 - What discretionary powers a local authority could have for the operation of a visitor levy?
 - What information may be required to administer a visitor levy?
 - How a visitor levy may be enforced?
 - How revenues from a visitor levy could be used and people made aware of the use of revenues and the benefits?
- 4.1.3 Four in-person events were held during September 2022 – November 2022, across different regions in Wales and one virtual event. These were attended by over 300 stakeholders, with representatives from the tourism industry, businesses, local government, community groups, environmental groups and the third sector.
- 4.1.4 The consultation received over 1,200 responses from a range of stakeholders. The main respondents were from the visitor accommodation sector. We also received responses from most local authorities. The National Parks, third-sector organisations and other representative organisations also provided responses.
- 4.1.5 While a separate specific consultation has not taken place on a database or register, consultations have been conducted on a broader statutory scheme for visitor accommodation providers. In 2021, the Welsh Government commissioned Cardiff-based Strategic Research and Insights (SRI) to undertake a scoping exercise in respect of establishing a statutory registration or licensing scheme for all visitor accommodation. SRI conducted 37 in-depth interviews and nine focus

groups between September and November 2021 with relevant Welsh Government departments, local authorities, representative bodies and accommodation providers. One question raised related to the benefits and rationale of having such a scheme, with the report highlighting that a policy related to tourist accommodation would benefit from having a register of operators and suggested that in some cases such as a tourism levy some form of database would be seen as a necessity.

- 4.1.6 A question was also included in the visitor levy consultation asking whether there should be a comprehensive list of visitor accommodation providers available to the tax authority to support the administration of a levy. A small majority of respondents to this question disagreed with creating a comprehensive list of visitor accommodation providers (53% or 444 respondents), as opposed to those agreeing (47% or 401 respondents). The most common theme raised by respondents agreeing with the proposal in question was the view that a registration scheme would facilitate effective monitoring and enforcement of the levy. There was also agreement that a registration scheme would facilitate the effective administration of the levy and would ensure consistency of application across accommodation providers and areas.

4.2 Summary of Responses

- 4.2.1 The full summary of responses to the consultation was published in March 2023³³. Most respondents to the consultation were against the proposals (78% of those responding to the question '*Do you agree or disagree that local authorities should have discretionary visitor levy powers to enable a more equitable basis for the funding of local services and infrastructure between residents and visitors?*')³⁴.
- 4.2.2 Through engagement with tourism sector on the lead up to the consultation, we anticipated concerns and an overall negative response to the consultation was expected due to the large volume of responses from visitor accommodation providers (46% of all responses) and sectoral representative organisations such as the Wales Tourism Alliance, UK Hospitality and Professional Association of Self-Caterers.
- 4.2.3 There were three overarching themes reflected consistently in the consultation, the first was the importance of ensuring a levy is implemented in a fair way, to avoid designing a levy with potentially regressive effects (such as disproportionately falling on individuals on

³³ [Proposals for a discretionary visitor levy for local authorities \(gov.wales\)](#)

³⁴ [Ibid.](#) pg.18

low incomes), and concerns around placing a significant cost and administrative burden on smaller accommodation providers.

- 4.2.4 Keeping the design and implementation of the levy simple and clear was the second overarching theme, to minimise the administrative burden placed on accommodation providers and local authorities, as well as increasing compliance.
- 4.2.5 A third theme was a preference for the levy to be administered at least partially on a centralised basis. It was acknowledged that there could be unintended consequences if there was a lack of centralisation, including added complexity for businesses. Other respondents acknowledged benefits of local administration, including better insight of the tax base locally which could support any enforcement.
- 4.2.6 More detail on the consultation responses and how this feedback has helped inform the design and scope of the levy in four key areas is provided in the next section.

Consistency

- 4.2.7 A point raised by many respondents to the consultation including many local authorities was for a levy to be consistent. Question 3 of the consultation explored what local autonomy should be provided for application of a levy. 66% of respondents disagreed with any aspect of local autonomy, believing that a more centrally aligned scheme would be of benefit.
- 4.2.8 Taking account of feedback on this point, the policy design is based on the application of a national framework for the operation of the visitor levy across those local authorities that choose to introduce it. The programme for government commitment is to 'permit' local authorities to raise a visitor levy. Discretion and local decision making are important parameters for the policy. Therefore, local authorities will decide whether to introduce a levy and how to use revenues. Should local authorities opt-in, they will be subject to the national framework established for the levy. The Welsh Revenue Authority will collect and manage the visitor levy on behalf of those local authorities who opt-in. This will reduce administration costs and enable economies of scale for any centralised mechanism for collection. Additionally, it will ensure the benefits of more effective and strategically developed communications to enhance those impacted on understanding the levy.

Rate type

- 4.2.9 The consultation explored the various options for the appropriate rate type for a visitor levy, including rate per room/accommodation per night, a rate per person, per night and a percentage of the accommodation charge. There was no consensus from consultation

respondents on what type of rate is preferable, although a per person per night charge was the overall most preferred option. Respondents advocated for different options. There was consensus that the same type of rate should be in operation across all local authority areas that implement a levy.

4.2.10 To keep the levy as simple and clear as possible, the policy design for the levy has been developed based on a flat rate charge per person, per night.

4.2.11 In recognition that higher taxes might deter budget travellers or individuals with lower incomes, the rate structure in the Bill has been designed with two rates, a lower rate and a higher rate. The rates are applied per person per night, at £1.25 for most accommodation types, and a lower rate for hostels and camp sites at £0.75. The lower rate has been introduced to recognise that these accommodation types are, on average, provided at lower cost compared to others. Noting this reduces the regressive nature of the levy, the aim is to keep the tax as simple as possible to administer from a compliance perspective meaning it will be more cost effective over the longer term.

Exemptions and Nil rated stays

4.2.12 A series of exemptions were proposed within the consultation, these were based on work undertaken to develop the Partial Regulatory Impact Assessment. We had identified scenarios for certain visitors where it would not be proportionate to charge a levy. Additionally, we recognised the need to ensure certain accommodation types were outside of the scope of the policy. These were set out within the consultation and have been taken forward as part of the legislative proposals.

4.2.13 The consultation set out a series of potential exemptions including for those who are homeless, Gypsy and Traveller sites and services provided on a charitable basis to shelter individuals. There was general advocacy for the legislation to establish clear exemptions on a national basis. This will mean that where an exemption is set out in the legislation, the exemption will apply to all areas that use a visitor levy. There was limited appetite or evidence submitted highlighting the need for discretionary exemption powers.

4.2.14 During the development of the legislation, it was recognised that the language used in the consultation around out of scope and exemptions needed to be better defined in order to stay consistent with terminology in other local and devolved tax legislation. We have therefore taken the approach to set out in the legislation three categories of stays in relation to the levy, that will be either, exempt, nil-rated or refunded:

- Exemptions are where we do not intend for the levy to be charged. For example, this includes accommodation for asylum seekers, private hospitals, approved premises, care homes and gypsy and traveller sites.
- Nil rates are stays in visitor accommodation (hotels, BnB's etc.) where we do not wish the levy to apply where it would be unfair in certain circumstances. This includes stays arranged by local authorities for those who are homeless.
- Refunds may be provided by the WRA where it is not possible or not preferential to apply a nil rate. This includes stays where there is a risk to the health, safety or welfare if an individual stayed at their sole or main residence (for example stays arranged by charities for vulnerable persons or where fire, flood or other disaster has rendered a property uninhabitable or where emergency services have advised not to stay at the property for such reasons), where an individual was homeless (and the stay was not nil rated), and stays by disabled persons who are accompanied by a carer.

4.2.15 Provisions have been set out in the Bill for further exemptions or refunds to be created in the future, should additional evidence emerge regarding the need to do so. This will ensure that we can adapt and future proof the legislation.

4.2.16 For registration purposes, a provider will have to register if they are providing or offering to provide accommodation that is defined in the legislation as being visitor accommodation, irrespective of the leviable status of the overnight stay e.g. if a provider offers or provides visitor accommodation for an overnight stay that is nil rated for the purposes of payment of the levy, the visitor accommodation type would still have to be registered. Additional powers have been set out to allow for providers to be exempted from the need to be registered.

Hypothecation

4.2.17 74% of respondents answering the question on whether revenues should be hypothecated showed that 481 respondents agreed. The concept of 'additionality' was also consistently raised, whereby any levy should not displace existing funding and should provide additional benefit beyond what is already provided.

4.2.18 Hypothecation can provide greater awareness as to the purposes of the levy (where revenues are hypothecated for the purposes of tourism) and create a clearer link between the levy and the service

provided. It can also support the messaging to visitors and residents as there is a stronger link between the levy and services received.

4.2.19 The approach for the visitor levy is that it will be broadly hypothecated for the purposes of 'destination management and improvement'.

Destination management and improvement means any of the following:

- mitigating the impact of visitors;
- maintaining and promoting use of the Welsh language;
- promoting or supporting the sustainable economic growth of tourism and other kinds of travel;
- providing, maintaining and improving infrastructure, facilities and services for use by visitors (whether or not they are also for use by local people).

4.2.20 The legislation sets out that local authorities must give details at the end of the financial year in a publication, how revenues from the visitor levy have been allocated towards destination management and improvement purposes.

4.3 Independent consumer research

4.3.1 In addition to the consultation and to further capture the sentiment of the public towards the policy proposals, we commissioned research focussed on consumers³⁵, from November 2022 – January 2023.

4.3.2 The research was designed to obtain the views of Welsh residents and UK domestic holiday consumers on the potential discretionary visitor levy. It explored opinions on whether visitors should contribute via a levy, are willing to pay a levy and if they would change their behaviour if a levy was introduced.

4.3.3 More than 2,500 respondents completed the survey including 1,005 from Wales, alongside in-depth interviews with 16 individuals. The results reflected broad support for the principle of a visitor levy. Respondents were more positive than negative when introduced to the concept of a visitor levy in a place where they go on holiday or in their area. 45% were positive, and 25% were negative and positivity increased amongst people with lots of tourism in their area.

4.3.4 Those surveyed broadly supported the principle of a visitor levy. A majority (58%) of respondents agreed that tourists should contribute towards the costs of maintaining and investing in the destinations they stay in, rising amongst people with lots of tourism in their area – in Wales (66%) and the UK (72%). Very few (13%) of those surveyed disagreed with the concept of contributing towards cost.

³⁵ [PowerPoint Presentation \(gov.wales\)](#)

- 4.3.5 Although reactions were more positive than negative, when the visitor levy was turned from an abstract concept (i.e., for tourists to contribute to tourism areas) to a tangible concept (an actual visitor levy in areas they visit or live in), negativity did increase, and for some respondents, negativity was visceral. Furthermore, for those with lower household incomes, positivity dropped significantly, suggesting financial means are a driver of a positive response.
- 4.3.6 Almost all audiences felt it was important to be told where the funds would be spent, particularly Welsh residents who lived in areas where tourism was a significant economic activity. 'Protecting the local environment' and 'maintaining local services and infrastructure' were the main ways in which both holidaymakers and locals felt funds should be spent, although the order of priority changed between the two.

4.4 Stakeholder engagement

- 4.4.1 We have continued to engage with stakeholders throughout the Bill's development. Subsequent engagement took place post-consultation through regular regional tourism fora arranged by Visit Wales.
- 4.4.2 Specific engagement with local authorities has also taken place throughout the Bill's development with workshops held in July 2023 to discuss governance, audit and reporting considerations and local processes and impacts from the proposed operational model for the levy. These discussions helped further refine the design of the levy.
- 4.4.3 A visitor levy working group was set up to ensure that we were fully cognisant of potential challenges from operationalising a levy and to understand impacts in detail and how they can be mitigated. The group was established in December 2023 and comprised of a mix of representatives from local authorities, visitor accommodation providers, independent tax experts and tourism representative bodies. The working group focused discussions on guidance topics and identifying impacts which helped feed into information and guidance prepared by officials for implementation of the levy.
- 4.4.4 We also engaged widely both internally and externally with stakeholders specifically in areas to inform our understanding of the potential impact on vulnerable groups, as part the development of our Equality Impact Assessment, Children's Impact Assessment, Socio-economic impact assessment and Welsh Language Impact Assessment³⁶.

³⁶ <https://www.gov.wales/visitor-accommodation-register-and-levy-wales-bill-integrated-impact-assessment>

4.4.5 Additionally, as part of their discovery work for the visitor levy, the Welsh Revenue Authority (WRA), have undertaken user research and direct engagement with visitor accommodation suppliers, online travel agents and others involved in the visitor accommodation sector.

4.5 Reasons for not consulting on a draft Bill

4.5.1 The Welsh Government has engaged extensively with stakeholders throughout the development of visitor levy policy before the launch of the consultation, during the consultation and through to the introduction of the Bill into the Senedd.

4.5.2 The Welsh Government has tested the practical implications of the proposed levy, the collection and management arrangements, through detailed discussions with stakeholders, including representatives from local authorities, visitor accommodation providers, the Welsh Revenue Authority, independent tax experts and tourism representative bodies.

4.5.3 The consultation was extensive in nature, exploring each aspect of the visitor levy design. We received detailed responses to the consultation which has helped to inform the design of the levy. Therefore, given the detail of that consultation, a further consultation on a draft bill was not felt to be proportionate. The provisions included in the Bill align to the principles set out in the consultation published in September 2022. The specific proposals have subsequently been further refined with expertise and input sought from stakeholders.

5. Power to make subordinate legislation

The Bill contains provisions to make subordinate legislation and issue determinations. Table 5.1 (subordinate legislation) and Table 5.2 (directions, codes and guidance) set out in relation to these:

- i. the person upon whom, or the body upon which, the power is conferred;
- ii. the form in which the power is to be exercised;
- iii. the appropriateness of the delegated power;
- iv. the applied procedure; that is, whether it is “affirmative”, “negative”, or “no procedure”, together with reasons why it is considered appropriate.

The Welsh Government will consult on the content of the subordinate legislation where it is considered appropriate to do so. The precise nature of consultation will be decided when the proposals have been formalised.

Table 5.1: Summary of powers to make subordinate legislation in the provisions of the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
Part 1, section 2(5)	Welsh Ministers	Regulations making power to enable the Welsh Ministers to make regulations, subject to the draft affirmative procedure to amend section 2 to: (a) provide that a type of accommodation, or accommodation of a particular description, is or is not visitor accommodation; (b) vary the description of a type of accommodation.	To ensure clarity of the law should there be any emerging cases where it is not clear if accommodation is or is not visitor accommodation. We are aware of the constantly evolving nature of the sector, there will be a need for the legislation to keep pace with sectoral changes so that it accurately reflects and depicts the visitor accommodation sector. The definitions provided in the Bill ensure that all visitor accommodation is captured on the register.	Draft Affirmative	The Senedd should be provided with the opportunity to scrutinise and vote on any proposed changes given that they will affect the duties placed on persons and their exposure to any associated penalties for registration and for the visitor levy.

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
			Regulations will be needed to ensure the scope and application of the law is aligned with policy intent in what is an evolving and complex area.		These provisions and changes to these will also have a subsequent impact on taxation matters as visitor accommodation is a defining component for the visitor levy.
Part 2, section 4(5)	Welsh Ministers	Add, vary or remove a description of information specified in subsection 2 (what an entry in the register must contain).	This regulation making power will ensure the register continues to serve the policy intent and that the register captures all <i>relevant</i> information to enable effective tax administration and data intelligence for tourism.	Draft affirmative	The Senedd should be able to scrutinise and vote on any amendments to information requirements. This will ensure proportionality and reasonability of the use of this power.

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
Part 2, section 5(2)	Welsh Ministers	Regulations which provide for a description of Visitor Accommodation Provider to be exempted from the requirement to register.	<p>The visitor accommodation sector is diverse, complex and ever changing. We recognise that the use of visitor accommodation may in certain scenarios not be used by visitors.</p> <p>These scenarios will be emergent and therefore flexibility is required with appropriate safeguards to ensure that duties are not placed on persons where not intended and that the register accurately depicts the makeup of visitor accommodation across Wales.</p>	Draft Affirmative	The Senedd should be able to scrutinise and vote on any proposed exemptions as they impact on persons in Wales and their exposure to any associated penalties.

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
			<p>There may be accommodation which is not intended to be in scope from a policy intent that may inadvertently be so based on the drafting of the legislation.</p> <p>Regulations will be needed to ensure the scope and application of the law is aligned with policy intent in what is an evolving and complex area.</p>		

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
Part 2, section 7	Welsh Ministers	<p>Regulations to make provision about the register and registration requirements including:</p> <p>(a) the application to partnerships and unincorporated bodies;</p> <p>(b) the procedures for registration (including variation and cancellation of registration);</p> <p>(c) authorising or requiring disclosure of information contained in the register;</p> <p>(d) enforcement of including provision for—</p> <p>(i) offences or penalties relating to failures to comply</p>	The Bill places duties on visitor accommodation providers to register and provide information through that registration process.	Draft affirmative	The Senedd should have the opportunity to scrutinise and debate the detail of any proposed regulations to ensure proportionality and accountability of the government and suitability of Welsh laws.

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
		with any requirements; (ii) reviews and appeals.	It is recognised that further detail is required to ensure the effective operation of a national registration scheme. This operative detail includes matters such as how partnerships and unincorporated bodies should be treated, the procedure for application for registration and for variation or cancellation of registration, how information from the register may or must be shared and with whom, enforcement, reviews and appeals.		

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
			<p>These regulation powers are needed to ensure the effective operation of a national registration scheme and to provide for clarity to visitor accommodation providers.</p>		
Part 3, Section 9 (5)	Welsh Ministers	Regulation making power for adding, removing or changing descriptions of circumstances in which an overnight stay in visitor accommodation does or does not take place	<p>The defining characteristics of a leviable stay have been set out in the bill under this section. We have also provided for circumstances which may meet these criteria, but of which should not be defined as a leviable stay (according to the policy intent).</p> <p>However, there may be further overnight stay types that need to be listed as they are not otherwise</p>	Draft Affirmative	The Senedd should be provided the opportunity to scrutinise and vote on these regulations as they will impact stays which are leviable or not.

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
			<p>accommodated for to ensure the policy intention of the Welsh Ministers (and Senedd) are fully realised.</p> <p>Provision has therefore been made for Welsh Ministers to be provided with a regulation making power to enable them to prevent duties being placed on visitor accommodation providers where are none are intended according to the policy</p>		<p>Any changes would represent a substantive change to the operation of the visitor levy and would impact the way the levy operates for visitors to Wales.</p>

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
Part 3, section 12 (2)	Welsh Ministers	Regulation making power to make regulations to revise the visitor levy rates that are set in legislation	It is important that there be provision to change the rate of the visitor levy to ensure it is proportionate regarding the wider macro-economic context, continues to deliver policy aims and ensure sufficient revenues are generated. Therefore, there should be provision for ministers to change the rate of the levy, to be determined by Welsh Ministers using the evidence available.	Draft Affirmative	The Senedd should be provided the opportunity to vote on changing the rate of the levy as it would represent a substantive change to the operation of the visitor levy and would impact the way the levy operates for visitors to Wales.

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
Part 3, Section 13 (4)	Welsh Ministers	Regulation making power to make regulations to amend which stays are subject to which rate, i.e. lower, higher or nil rate	This power is required to ensure the leviable rates for accommodation types remain aligned to policy intent and provides flexibility with appropriate safeguards to nil rate certain stays in visitor accommodation to promote fairness of application and remove any potential unintended barriers for specified groups.	Draft affirmative	The Senedd has a key role in the scrutiny of Welsh taxation laws. Changes imposed by these regulations would impact visitor accommodation providers and members of the public. Therefore, it is proportionate and necessary that the Senedd scrutinises and votes on any such changes.

Part 3, Section 13 (5)	Welsh Ministers	Regulation making power for setting evidence requirements for nil rated stays and to establish arrangements for issuing of vouchers for the purposes of proving a nil rated stay in visitor accommodation	<p>Regulations are appropriate should the need or requirement for more nil rated stays emerge in the future. To maintain the integrity of the tax system, we need to ensure that there are appropriate safeguards in place to prevent tax evasion.</p> <p>The ability to establish a voucher system to demonstrate a nil rated stay may become apparent in the future and it is necessary to have the flexibility to establish such a system should a need arise. This would prevent any undue burden on operators or visitors, supporting a data minimisation approach to prevent unnecessary data collection by visitor</p>	Draft affirmative	The Senedd has a key role in the scrutiny of Welsh taxation laws. Changes imposed by these regulations would impact visitor accommodation providers and members of the public. Therefore, it is proportionate and necessary that the Senedd scrutinises and votes on any such changes.
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Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
			accommodation providers.		
Part 3, section 14 (3)	Welsh Ministers	The ability for Welsh Ministers to make regulations specifying the maximum amount of the premium which may be added by a principal council.	<p>It is recognised that local areas in Wales will have varying needs in relation to revenue generation to account for the costs and investment into the local tourism product.</p> <p>Therefore, it is appropriate to enable principal councils to apply an additional levy amount on top of the rates set in legislation. Phasing this power in over time will support a gradual approach to establishing the levy.</p>	Draft affirmative	The Senedd has a key role in the scrutiny of Welsh taxation laws. Changes imposed by these regulations would impact visitor accommodation providers and members of the public. Therefore, it is proportionate and necessary that the Senedd scrutinises and votes on any such changes.

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
Part 3, section 15 (6)	Welsh Ministers	Regulation making power to add to the list of scenarios in which a repayment of an amount equivalent to levy paid to visitors may apply and to amend the definition of disability benefit.	<p>The scenarios where a refund is available identified should be set out within primary legislation. Officials have tried to identify all the appropriate scenarios. However, there may be further refundable scenarios that prove to be necessary, or amendments to those provided to ensure the policy intention of the Welsh Ministers (and Senedd) are fully realised.</p> <p>Provision has therefore been made for Welsh Ministers to be provided with a regulation making power to enable them to make regulations to introduce new refundable scenarios.</p>	Draft Affirmative	The Senedd should be provided the opportunity to vote on the introduction of new scenarios appropriate for refunds of the levy as they would represent a substantive change to the operation of the visitor levy and would impact the way the levy operates for visitors to Wales.

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
					Additionally, changes to refunds may reduce or increase administrative costs for businesses and the Welsh Revenue Authority.
Part 3, Section 17 (3)(a)	Welsh Ministers	Regulation making power to determine the threshold amount of levy at which a visitor accommodation provider may submit an annual return	It is recognised that the levy rates will likely be revised in the future. The amounts set in legislation relate to a moment in time and therefore flexibility is needed to adjust this figure to account for changing economic context.	Negative	Regulations made under this section will be subject to the negative procedure as they are operational in nature.

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
			<p>Welsh Ministers require regulation making powers to amend this figure if it proves to be too high or low in practice after the levy has been administered for a number of years</p> <p>Provision of information is proportionate to enable WRA to effectively collect and manage the visitor levy and balance the level of tax risk.</p>		

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
Part 3, Section 17 (3)(b)	Welsh Ministers	Regulation making power to determine what evidence a visitor accommodation provider may or must submit to the WRA to be eligible to file an annual return	It is required to ensure the policy intent is realised. If it comes to light that too many providers ineffectively estimate their likely revenue collection, it may become apparent that there is a need to ensure fairness in the system through preventing providers from only submitting annually where they do not meet the requirements. This provides for an effective 'check' on those who may act dishonestly.	Negative	Regulations made under this section will be subject to the negative procedure as they are operational in nature.

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
Part 3, Section 24 (4)	Welsh Ministers	Regulation making powers to amend section 24 in respect of the content, number, frequency and deadline for the publication of the report principal councils must publish on the proceeds of the levy and how they have been allocated towards destination management and improvement.	A provision is required in the Bill that requires LAs to publish a report at the end of each financial year setting out how revenues generated from the Levy have been allocated towards Sustainable Destination Management purposes, the content and frequency of this requirement shall be subject to further implementation work and is appropriate to be captured by subordinate legislation.	Negative	Regulations made under this section will be subject to the negative procedure as they are operational in nature.
Part 3, Section 31	Welsh Ministers	Regulation making powers to make provision about partnerships and unincorporated bodies	This provision is necessary to ensure appropriate tax liabilities are assigned for differing company and corporate structures. This is a routine power in tax legislation.	Draft Affirmative	The Senedd should be provided the opportunity to scrutinise and vote on regulations which will impact tax

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
					liabilities for specific persons.
Part 3, Section 33	Welsh Ministers	Regulations to make further provision about death, incapacity and insolvency	This is a routine power to ensure effective assignment of tax liabilities and operations of the tax system for special cases.	Draft Affirmative	The Senedd should be provided the opportunity to scrutinise and vote on regulations which will impact tax liabilities for specific persons.
Part 3, Section 34	Welsh Ministers	Regulations to make provision about transfers of business as going concerns	This is a routine power to ensure effective assignment of tax liabilities and operations of the tax system for special cases.	Draft affirmative	The Senedd should be provided the opportunity to scrutinise and vote on regulations which will impact tax liabilities for specific persons
Part 3, Section 37(1)	Welsh Ministers	Regulations to make provision about advertising and billing	This is a proportionate power to take as it may become necessary to ensure consistency in	Draft affirmative	The Senedd should be provided the opportunity to

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
		requirements for the visitor levy	how the visitor levy is presented to visitors. In the absence of this power, there may be a lack of clarity and consistency in how visitor accommodation providers present information about the visitor levy. This could also impact the ability of WRA to issue refunds which would impact the ability to collect and manage the visitor levy.		scrutinise and vote on regulations which would impose new requirements on providers and associated penalties for failure to meet those requirements.
Part 4, Section 40	Welsh Ministers	Regulation making power to amend this act and the TCMA so that it applies to moorings and berthings	Moorings and berthings are a specific accommodation type. Regulations would need to ensure that the visitor levy works effectively in the context of moorings and berthings. This would represent an extension of the visitor levy to another visitor accommodation type.	Draft affirmative	The Senedd should be provided the opportunity to scrutinise and vote on regulations which will impact tax liabilities for specific persons and represent an extension of

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
					taxation to a new accommodation type.
Part 4, Section 41	Welsh Ministers	Regulation making power to make incidental, consequential, or supplemental provisions for the purposes of or in connection to the Bill subject to the negative procedure.	This power is required to provide clarification through the legislation where required for any minor legislative wording and grammatical changes, for example additions of commas or words.	Draft affirmative unless amending secondary legislation then any regulations made under this section will be subject to the negative procedure.	The Senedd should be provided the opportunity to scrutinise and vote on any amendments impacting primary legislation.
Schedule 1, paragraph 6 text to be inserted into Tax Collection and Management (Wales) Act 2016	Welsh Ministers	Regulation making powers to determine how and what operating costs and disbursements will be deducted from any levy receipts collected before their remittance to local authorities.	This will allow for the cost-effective operation of the collection and management of the visitor levy and ensure that any costs allocated towards local authorities is reasonable.	Draft Affirmative	The Senedd should be provided the opportunity to vote on the formula used to calculate costs to be deducted from levy receipts before sending these on to local authorities as it

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
					would represent a substantive change to the operation of the visitor levy and deliver on the policy intention for the visitor levy to be self-funding.

Table 5.2: Summary of powers to issue codes and guidance in the provisions of the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill

Section	Power conferred on	Form	Appropriateness of delegated power	Procedure	Reason for procedure
Part 4, 39 (1)	Welsh Ministers	Guidance	Welsh Ministers may issue guidance on this Act and any regulations made under this Act, but before issuing any such guidance the Welsh Ministers must consult such persons as they consider appropriate.	No procedure	The power to issue guidance is intended to facilitate the application of the primary legislation. The guidance will largely be concerned with process and as such, Senedd Procedure is not appropriate

PART 2 – REGULATORY IMPACT ASSESSMENT

6. Regulatory Impact Assessment (RIA) summary

A Regulatory Impact Assessment has been completed for the Bill and it follows below.

There are no specific provisions in the Bill which charge expenditure on the Welsh Consolidated Fund.

Table A

The following table presents a summary of the costs and benefits for the Bill as a whole. The table has been designed to present the information required under Standing Order 26.6 (viii) and (ix).

Due to the uncertainty around which local authorities will implement the levy (and when) and in order to present an estimate of aggregate costs, we have had to make a simplifying assumption that all 22 local authorities implement at the earliest opportunity. WRA, local authority and visitor accommodation provider costs and the levy revenues are estimated on this basis.

The data that we have on the number of visitors to Wales is reasonably robust and so we have more confidence in presenting a single point estimate for the levy revenue. In contrast, the data we have on the number of visitor accommodation providers and the costs they will incur is significantly less certain. The WRA and visitor accommodation provider costs are presented in broad ranges to reflect this uncertainty.

Visitor Accommodation (Register and Levy) Etc. (Wales) Bill		
Preferred option: Option 2 - Introduce legislation to grant local authorities a discretionary power to implement a visitor levy on overnight stays in visitor accommodation and establish a register of visitor accommodation providers.		
Stage: Introduction	Appraisal period: 2025-26 – 2034-35	Price base year: 2023 – 2024
Total Cost Total: £313.9m to £576.6m Present value: £253.7m to £469.2m	Total Benefits Total: £264.0m Present value: £211.8m	Net Present Value (NPV): £-41.9m to £-257.5m

Administrative cost

Costs:

Total costs for the WRA to develop, collect and manage the levy over a 10 year period range from £17.123m - £22.670m. Whilst it is intended the register will be a function of Welsh Ministers, on the assumption it is delegated to the WRA, they have suggested total costs to develop and operate the register over a 10 year period range from £12.823m - £17.402m. Therefore, the combined cost range for the collection and management of the visitor levy and operation and maintenance of the register is: £29.946m - £40.072m over a 10 year period from 2025 – 2035.

Transitional costs for Welsh Government to develop guidance, communications and marketing and post implementation evaluation in the range of £94,000 – £154,000 in 2025-2026, up to £50,000 in 2026-27 and between £20,000 – £70,000 per annum from 2027-2028 onwards. The combined cost for this element is: £0.254m - £0.764m over a 10 year period from 2025-2035.

For the purpose of presenting a total cost estimate, if all 22 local authorities were to consult on and implement the levy, upfront costs would be between £220,000 and £880,000 with annual ongoing costs of between £22,000 and £110,000. It is recognised this is likely to over-estimate the actual total cost as it is not expected that all local authorities will choose to implement the levy. The combined cost for this element is: £0.396m - £1.76m over a 10 year period from 2025-2035, with one off costs assumed to be incurred in 2025-26 and 2026-27 and the annual ongoing costs incurred from 2027-28 (i.e. 8 years of the appraisal period).

Transitional: £7.7m to £10.6m	Recurrent: £22.9m to £32.0m	Total: £30.6m to £42.6m	PV: £25.8m to 35.9m
Cost-savings: No administrative cost-savings have been identified.			
Transitional: £0	Recurrent: £0	Total: £0	PV: £0
Net administrative cost: £30.6m to £42.6m			

Compliance costs

One off aggregate costs for existing Visitor Accommodation Providers to register range between £40,000 - £815,000. Ongoing costs are estimated to be between £3,000 and £163,000 per annum. The combined cost for this element is: £0.06m - £1.955m over the 10 year appraisal period. The one off costs are assumed to be spread between 2026-27 and 2028-29, with ongoing costs incurred from 2028-29 onwards.

For the visitor levy, the cost estimates are again based on the assumption that all 22 local authorities opt to implement the levy at the earliest opportunity. One off aggregate costs to providers are estimated to be between £5.1m and £37.9m and incurred in 2026-27. Aggregate annual ongoing costs for providers will vary between £1.76m and £28.8m and will be incurred from 2027-28 onwards. The precise costs are highly uncertain given the lack of any direct comparator and the uncertainty regarding the exact number of establishments operating in Wales and which local authorities will opt to use the levy. The combined total for this element is: £19.2m - £268.0m over a 10 year period from 2025-2035.

Based on the estimated revenue amounts, the cost to visitors would be up to £33 million per year if all local authorities chose to introduce a levy incurred from 2027-28 onwards totalling up to £264m over the 8 year period to 2034-35. The levy itself represents a transfer from visitors/ accommodation providers to local authorities. Table 21 provides some examples of the range of possible visitor levy amounts payable by different groups of visitors based on the higher or lower rate.

Transitional: £5.2m to £38.7m	Recurrent: £278.1m to £495.3m	Total: £283.3m to £534.0m	PV: £227.9m to £433.4m
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Other costs

N/A

Transitional: £ -	Recurrent: £ -	Total: £ -	PV: £ -
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Unquantified costs and disbenefits

There could be a possible reduction in visitors to Wales or to a certain local authority that adopts a levy (impact on demand). It is not possible to quantify this accurately. It is assumed that it will be offset by the additional revenue raised by the levy (impact on supply) see section 8.6. The societal impact of the levy is estimated to be neutral, and exact impacts would be dependent on spend of consequential revenue by local authorities. Environmental unquantified benefits could be seen should the levy result in changes in Wales-tourism related greenhouse gas emissions.

Benefits

Based on the proposed rates set out in the Bill, estimated revenues are anticipated to total up to £33 million per year if all local authorities chose to introduce a levy. The earliest a visitor levy will become payable is 2027-28 (year 3 of the appraisal), therefore the levy could **generate up to £264m in revenue over the ten-year appraisal period (i.e. 8 years from 2027-28 up to 2034-35).**

The use of public spaces and services are integral to the overall visitor experience and investing and maintaining these can improve the reputation of the destination benefiting visitors, residents, and businesses. The levy in Wales would raise new money for local communities and ensure a more even share of costs to fund local services and infrastructure. Additional revenue could be invested back into local services and infrastructure to support sustainable tourism and in turn boost the Gross Value Added (GVA) from tourism in Wales.

The register will help determine who should pay the levy within a local authority area and meet registration needs for the scheme, whilst aiding local authorities and Welsh Government in making decisions related to the visitor levy. Additionally, it will offer a comprehensive, accurate, and current dataset of all visitor accommodations in Wales.

Total: £264.0m	PV: £211.8m
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Key evidence, assumptions and uncertainties

Cost estimates have been received from the Welsh Revenue Authority and two local authorities regarding administrative costs for the visitor levy. Additionally, the WRA undertook an exercise with visitor accommodation providers to identify transitional costs related to updates to processes and systems, and to identify ongoing compliance costs.

The Welsh Government commissioned several independent research pieces to better understand the economic and non-economic impact of introducing a levy in Wales which include:

- [The Potential Economic & Greenhouse Gas Impacts of a Visitor Levy in Wales, Professor Calvin Jones, Cardiff University](#)
- [Review of Impacts of Visitor Levies in Global Destinations, Bangor University](#)
- [Evidence review of elasticities relevant to a visitor levy in Wales, Alma Economics](#)
- [Comparative Analysis of the Tax Systems Faced by the Visitor Economies in Selected Countries, Bangor University](#)

7. Options

7.1 Development & options

- 7.1.1 A number of options have been considered for the delivery of the policy intention through the public consultation in 2022 and extensive stakeholder engagement. A [Partial Regulatory Impact Assessment](#) was published alongside the consultation which set out 3 options and sub-options and assessed their potential costs, benefits and disbenefits.
- 7.1.2 The programme for government commitment is to ‘permit’ local authorities to raise a visitor levy as it is recognised that not every area may wish to use a visitor levy. The principle of local decision making is important for the context of the levy. The size and nature of visitor accommodation is highly variable across principal council areas, therefore we recognise some local authorities may not wish to use a levy.

7.2 Alternative options to a visitor levy

Accommodation Business Improvement District (ABID)

- 7.2.1 Consideration was given to whether an Accommodation Business Improvement District (ABID) would be an appropriate option and comparator with a visitor levy. It is important to establish that an ABID is separate and distinct from a visitor levy for the following reasons:
- An ABID is not applied to all overnight visitors in visitor accommodation but only those within the defined ABID area or within the scope of the ABID, for example only accommodation over a certain rateable value is included within Manchester’s ABID³⁷.
 - An ABID is governed, controlled, led and proposed by businesses. Public sector bodies may be involved such as local authorities, but they cannot compel the introduction of an ABID. Businesses that would be subject to the ABID vote on whether to introduce the proposed ABID or not. A levy would be a compulsory requirement set in legislation and introduced by local authorities rather than a measure which businesses would vote on.
 - To introduce and set new taxes or levies, legislation is required.
- 7.2.2 Given the fundamental differences between an ABID and a tax, it is not appropriate to use an ABID as a comparator option. Voluntary arrangements are also not suitable comparators given that it is not

³⁷ <https://manchesterabid.com/manchester-abid-zone/>

possible to establish the size or scope of such arrangements, and therefore it is uncertain what we would be comparing against. In any event, we cannot estimate the costs or benefits of a voluntary arrangement, given that it is voluntary in nature and it is unknown who may contribute and who would not.

Day Visitors

7.2.3 Some of the other options considered, but ultimately not pursued, included the application of a levy to 'day visitors'. Through our research and engagement with other countries, we identified that levies on 'day visitors' were applied in areas with hard geographical borders and monitored points of entry. For example, Venice introduced a day visitor tax in 2024 which requires day visitors to book online and pay a fee during peak tourism periods³⁸. Enforcement is facilitated through a digital platform where visitors register and receive a QR code as proof of payment, which must be shown at the city's main access points. This type of system requires a robust infrastructure and personnel to monitor compliance at the city's access points. Therefore, such an approach in Wales was felt to be disproportionate.

7.2.4 Cruise ship or ferry passengers are also generally the target of a 'day visitor' levy, due to the ability to effectively link cruise ship or ferry passengers to a 'day visit'. Areas such as Amsterdam, Rotterdam and Catalonia apply a 'day visitor' levy to cruise ship and ferry passengers given the sizeable volumes of visitors undertaking a visit through these modes of transport. Across the UK, we have freedom of movement and Wales has a porous border with England, and therefore, without defined and monitored point of entry a visitor levy is significantly challenging to apply to 'day visitors'.

7.2.5 Other forms of taxation in this space include 'entertainment taxes'.

An 'entertainment tax' is targeted towards visitor attractions and events within a local area. There were limited examples identified internationally of this type of tax however Amsterdam is a prominent example. The 'entertainment tax' applies in Amsterdam to; operators of boat tours, renters of canoes and pedal boats, tour operators and city tours³⁹. It also applies an 'entertainment tax' to events and festivals in public spaces with more than 500 visitors⁴⁰, alongside their existing 'tourism tax' on overnight stays.

7.2.6 This type of tax is generally considered a separate tax from a visitor

³⁸ [Venice Access Fee | VeneziaUnica City Pass](#)

³⁹ [Entertainment tax - City of Amsterdam](#)

⁴⁰ [Entertainment tax for events - City of Amsterdam](#)

levy applied to overnight stays. Where used, entertainment taxes are generally applied to everyone. This is because without a method of verification of an individual's primary residence, it is not possible to selectively tax visitors. Such a system would likely be unfeasible as it would require individuals to carry relevant identification with them and businesses or authorities to then check this information. In the absence of effective verification methods, entertainment taxes can consequently impact residents, running counter to our policy aims for a visitor levy. This is because there is a weaker link to the proposed tax base. In 2021 just over half of visitors to attractions in Wales were local visitors⁴¹. The scale of visitor attractions in Wales is vast and can range from paid to free activities and events. Impact on residents is less of an issue with a levy on visitor accommodation. Although residents will also access visitor accommodation locally, this would represent a small proportion of the total of overnight stays.

7.2.7 Therefore, following the consultation and stakeholder engagement, we are now proposing two options for consideration in this Regulatory Impact Assessment:

- **Option 1:** Business as usual – primary legislation to introduce a discretionary power for local authorities to implement a visitor levy is not introduced, and therefore, no local authority has the power to introduce a visitor levy.
- **Option 2:** Introduce legislation to grant local authorities a discretionary power to implement a visitor levy on overnight stays in visitor accommodation and establish a register of visitor accommodation providers. **(Preferred option).**

7.2.8 The full options appraisal has been set out in Chapter 8. The costs and benefits associated with each option are presented, using the best available information. This information has been prepared through discussion with key stakeholders and evidence-based research.

8. Costs and benefits

8.1.1 Costs and benefits have been assessed over a 10-year appraisal period, running from 2025-2026 to 2034-2035. This time period is considered to be sufficient for local authorities to consider whether to introduce a visitor levy and to capture any subsequent operating costs.

⁴¹ [Visits to Tourist Attractions in Wales 2021 \(gov.wales\)](https://gov.wales)

8.1.2 Unless otherwise stated, all costs and benefits have been rounded to the nearest thousand pounds. Some of the totals in tables may not sum due to this rounding. Costs and benefits have been discounted using HM Treasury's central discount rate of 3.5%.

Option 1: Business as usual

8.2 Description

8.2.1 In Option 1, there is no change from the current situation and legislation to establish a register of visitor accommodation providers and give local authorities an optional power to implement a visitor levy is not introduced, therefore, no local authority can implement a visitor levy and there is no register of visitor accommodation in Wales.

8.2.2 This section presents the Welsh Government's initial evaluation of the costs and benefits for different groups and sectors if a locally determined levy is not an option, with no local authority able to generate revenue through taxing overnight visitors to their area.

8.3 Costs & Benefits

8.3.1 This is the baseline option and as such there are no additional costs associated with this option. There would be no additional costs for the Welsh Government, local authorities, the Welsh Revenue Authority or visitor accommodation providers for registering, collecting and administering the levy. There would be no additional funding generated from the levy for spending in local authority areas.

Visitor accommodation providers

8.3.2 Under this option, visitor accommodation providers would not have to register or be liable to a visitor levy therefore avoiding any associated costs in the administration of a levy. Revenues would not be negatively affected if there was an impact on demand from introduction of a levy. However, visitor accommodation providers would not see the benefits of the money raised and spent in the local area to improve the services offered to visitors. Should these improvements help to maintain or draw in more visitors, visitor accommodation providers would not see the benefits.

Visitors

8.3.3 Visitors would not have to pay an additional levy to stay overnight in visitor accommodation, therefore, there would be no potential negative impact on visitor spending or behaviour. There would also be no confusion to visitors who may face a visitor levy in one local authority area and not in another.

8.3.4 Visitors would not however, see the benefits of the money raised and spent to improve the services offered to visitors and residents.

Local Authorities

8.3.5 Local authorities would not incur additional costs arising from consultation and engagement on a visitor levy. However, some local authorities may continue to face challenges to maintain funding to respond to pressures arising from visitors and would not receive any additional revenue stream to re-invest locally to support communities and the visitor economy.

Welsh Government/ The Welsh Revenue Authority

8.3.6 The Welsh Government would not be required to provide funding to any body delegated as the registration authority or the Welsh Revenue Authority. There would be no requirements for set up/ implementation costs from the development and building of any digital services, the resourcing of new teams, and the processes involved to create a system for the collection and management of a new tax. The registration authority and WRA would also not incur ongoing costs for the 'administration' i.e. collection and management costs, which refers to ongoing activity required to deliver the visitor levy once implementation had taken place.

Business community (excluding visitor accommodation providers)

8.3.7 Businesses would not incur any potential knock-on impacts on trade from the introduction of a levy. For example, if there was a reduction in demand due to use of a levy with fewer visitors coming to Wales or a specific local authority in Wales. However, businesses would not see the benefits of how the revenues from the levy are spent, for example if a local authority chose to use the money to improve the local amenities where this might attract more visitors and improve business conditions.

Residents

8.3.8 If no levy was introduced, the pressure on the provision of funding in some local authorities could lead to challenges in maintaining the quality and provision of public amenities. It would also not help ease any tensions between resident communities and visitors. Residents would not see the benefit from additional revenue to their local areas.

Option 2: Introduce legislation to grant local authorities a discretionary power to implement a visitor levy on overnight stays in visitor accommodation and establish a register of visitor accommodation providers.

8.4 Description

8.4.1 Option 2 involves introducing the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill. This establishes a register of visitor accommodation providers and gives local authorities in Wales the ability to charge a visitor levy on overnight stays in visitor accommodation. Under this option, the costs and benefit analysis are associated with the measures introduced by the Bill.

8.5 Costs & Benefits

Data Sources and the approach taken to estimate costs

8.5.1 The visitor economy in Wales is characterised by many small and micro-sized businesses given its smaller economy compared to global counterparts⁴². It is difficult to quantify the tax base for the visitor levy as the proposals will apply to businesses that both meet and do not meet the VAT threshold. The Inter-Departmental Business Register (IDBR) indicates there are around 1,810 visitor accommodation providers in Wales who are registered for VAT⁴³.

8.5.2 Non-VAT registered accommodation providers, such as a person who lets one room or one property via an online facilitator such as Airbnb, are much harder to estimate. Welsh Government published a Bedstock data report in August 2022 which gives the maximum bedspace capacity for all accommodation providers in Wales. The report identified there are 16,600 accommodation establishments in Wales, 12,145 of which were self-catering accommodation establishments.⁴⁴ These figures, however, do not directly equate to the number of

⁴² [Tourism \(Senedd Wales\)](#)

⁴³ <https://www.gov.wales/wales-visitor-economy-profile-2024>

⁴⁴ [Summary of Wales bedstock data: situation as at June 2022 | GOV.WALES](#)

anticipated levypayers as, for example, multiple establishments could be owned and managed by one business but are counted individually as accommodation establishments within the Bedstock data.

- 8.5.3 Lighthouse is a 3rd party data supplier that provides data on short term lets 'scraped' from four booking channels Airbnb, Vrbo, Tripadvisor, Booking.com. While this data is quality checked and processed by Lighthouse and by Visit Britain it should not be used as an official count of properties. The Lighthouse data scraping exercise undertaken in 2022, suggests there could be up to 55,000 visitor accommodation premises in Wales.
- 8.5.4 Further analysis of a snapshot of the data taken from Lighthouse over a representative 12-month period shows that approximately 20% of the properties listed in that time had zero nights booked. It's important to note that this number is highly contextual, and is likely to fluctuate year on year, but is indicative of the level of uncertainty involved in using this data to ascertain the composition of the sector and the likely revenue available.
- 8.5.5 The highly variable nature of the Short Term Let market, with properties coming on to market and then dropping off frequently throughout the year, make it difficult to accurately predict future market behaviour based on historical trend data. As noted, the data mentioned here from Lighthouse is not currently used as an official statistic and is not necessarily definitive of the number of short-term lets available in Wales. The most up to date data from Lighthouse for the UK, including a Wales level breakdown, can be found at Visit Britain's website⁴⁵.
- 8.5.6 ONS analysis of short-term lets through online collaborative economy platforms suggests there were between 22,040 – 26,990 hosts providing short term lets in 2023 in Wales, with the trend showing a gradual increase through the year. However, it is recognised that there is likely duplication in these figures from hosts advertising on multiple channels.⁴⁶
- 8.5.7 The lack of accurate sectoral data as to the number of visitor accommodation providers in Wales is one of the reasons a register of visitor accommodation is included within the legislation.
- 8.5.8 Given the discrepancies and uncertainties with the data available on the sector an approach has been taken within the Regulatory Impact Assessment to estimate the costs based on between 16,000 and 55,000 accommodation providers, meaning that estimated costs are

⁴⁵ [UK short-term rentals | VisitBritain.org](https://www.visitbritain.org)

⁴⁶ [Short-term lets through online collaborative economy platforms, UK - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

provided as a range throughout the RIA, with the mid-point providing a likely estimate.

- 8.5.9 Additionally, as the Bill introduces a discretionary power to implement a visitor levy on overnight stays, it is likely that only some of Wales' local authorities will introduce a visitor levy. This is partly because the tax base (visitor spending on commercial accommodation) in a number of local authorities is relatively small, meaning any revenues generated could be low in some areas relative to costs involved for introducing and administering a visitor levy.
- 8.5.10 It follows that any additional administrative and compliance costs arising from the Bill in relation to the levy will not be incurred by every local authority in Wales or by all accommodation providers in Wales. The decision will be for individual local authorities to make based on their local circumstances, therefore it would be inappropriate for the Regulatory Impact Assessment to assume particular decisions by local authorities, on whether or not to introduce a visitor levy in their area.
- 8.5.11 Therefore, to present an aggregate cost, we have presented estimates based on all 22 local authorities consulting and implementing the levy, when in reality, this outcome is unlikely. It is recognised that the costs presented are therefore likely to **over-estimate the actual cost**. The figures presented should be interpreted with caution throughout the document given the uncertainty surrounding the exact figures and influencing variables.

Welsh Revenue Authority

- 8.5.12 The Welsh Revenue Authority (WRA) (a non-ministerial department of the Welsh Government) is the intended body for the collection and management of a visitor levy and for economies of scale, is likely to be delegated the functions of the registration. There will be costs associated for development, implementation, and administration of both the registration and the visitor levy. The cost estimates for the registration service and the visitor levy have been presented separately. A summary of the costs for the registration service is provided at table 7. A summary of the costs for the visitor levy is provided a table 13.
- 8.5.13 The estimates are based on teams required to implement and operate a registration service and build and operate the visitor levy and is based primarily on detailed policy discussion with Welsh Treasury and Visit Wales officials and the discovery work undertaken by WRA.

Registration of visitor accommodation providers

Assumptions and variability of cost forecasts

8.5.14 Several assumptions have been made to estimate these costs, which include:

- That the WRA is delegated the registration function.
- While the register will be a national statutory scheme, registration rollout would be staggered between local authority areas in multiple phases. This allows the costs to be phased over several years rather than employing agency staff, in the first year, to meet the higher level of demand.
- There will be no charge for registration.
- The first phase would commence in 2026 at the earliest for any early adopters of the visitor levy. Future phases would capture those that have subsequently opted into the visitor levy and the remaining areas in a geographical rollout.
- Costs for a communications campaign and any specific costs for change and training activities, above and beyond which could be conducted by staff are not included
- Some digital staff and operational staff could be shared with the visitor levy (only part of their cost is recharged), otherwise the full cost could be charged.

8.5.15 There are several factors that could increase the cost of implementing a registration service, the major variables are:

- Whilst the legislation provides details on the requirements there are some unknown operational requirements, which will only become identifiable during implementation.
- It is assumed that people will generally comply with registration, however, if there are differing behaviours then compliance costs will likely increase.
- There is no robust source of data to identify the number and type of accommodation in local authorities. This will only be clarified as the service is rolled out.
- Recruitment of internal digital and data staff can be problematic, due to pay constraints, therefore contractors may be required to plug the skills gap, which is modelled through the high-cost scenario.
- Any significant changes made during the legislation process.
- This forecast is for national registration, and it assumes some resources are shared with the visitor levy. This may be an opportunity to significantly reduce the operational costs of registration if most local authorities opt into the visitor levy.

Estimation methodology

8.5.16 The WRA cost estimation has been built based on teams needed to build and operate the registration service. A distinction has been made between development costs and operational costs. Costs have been considered under the following assumptions, which are based on the Wales Bedstock data⁴⁷ for the lower estimate and short-term lets through online collaborative economy platforms data for the high estimate.⁴⁸

	Low Estimate	High Estimate
Registrations	16,000	55,000

8.5.17 The low estimate assumes that all internal resources are recruited to time, the high value assumes only 50% resources recruited and substituted by contractors, based on historic implementation. No distinction has been made between capital and revenue costs. However, it is anticipated that development costs will largely require capital whilst the on-going operational costs will come from revenue costs. It is estimated that there will be around 5-15% new accommodation businesses each year, and between 5-10% of accommodation closures based on past trends from UK business demography data⁴⁹.

Development Costs

8.5.18 The development of the digital systems will have 3 main cost areas:

- **Staff Costs:** This will be WRA staff who are involved in the development and implementation of the digital service. Some of these staff will be employed specifically for registration service and some will be existing WRA staff. It is likely that some of these staff will work across registration and the visitor levy service in their operational phase. Therefore, we have apportioned the costs in these scenarios. Only the registration portion is presented here, and if this is not the case then these costs will be higher.
- **Contractor Costs:** There will be a need to employ contractors to assist in building the digital system, primarily to substitute for staff that cannot be recruited or specific skills that are needed for short periods of time.
- **Infrastructure Costs:** Within the development phase there will be a need to create infrastructure to support the development

⁴⁷ [Summary of Wales bedstock data: situation as at June 2022 \[HTML\] | GOV.WALES](#)

⁴⁸ [Short-term lets through online collaborative economy platforms, UK - Office for National Statistics](#)

⁴⁹ Office for National Statistics (ONS), published 22 November 2023, ONS website, statistical bulletin, [Business demography, UK: 2022](#)

environment, performance and security testing. This cost would include the digital licensing requirements needed to support the infrastructure of the service. The infrastructure cost includes licensing and equipment for registration but not the licensing of equipment as a WRA employee.

8.5.19 Tables 4 and 5 breakdown the development costs into low and high estimates, alongside the operational staff that will operate alongside them.

Table 4: Registration development costs (Low Estimate)

FTEs	Cost (£)	2025-26		2026-27	
		FTE	Total (£)	FTE	Total (£)
TS	£39,463	2.00	£78,926	5.00	£197,315
EO	£50,334	0.50	£25,167	1.50	£75,501
HEO	£61,848	4.25	£262,854	5.00	£309,240
SEO	£77,694	7.50	£582,707	7.50	£582,707
G7	£100,941	3.50	£353,292	3.50	£353,292
G6	£123,966	0.50	£61,983	0.50	£61,983
Development Staff		14.50	£1,100,445	14.50	£1,100,445
Operational Staff		3.75	£264,484	8.50	£479,593
Total Staff Costs		18.25	£1,364,929	23.00	£1,580,038
Infrastructure			£25,000		£60,000
Consultants			£200,000		£300,000
Totals			£1,589,929		£1,940,038

Table 5: Registration development costs (High Estimate)

FTEs	Cost (£)	2025-26		2026-27	
		FTE	Total (£)	FTE	Total (£)
TS	£39,463	2.00	£78,926	8.00	£315,704
EO	£50,334	0.50	£25,167	1.50	£75,501
HEO	£61,848	4.25	£262,854	7.00	£432,935
SEO	£77,694	7.50	£582,707	7.50	£582,707
G7	£100,941	3.50	£353,292	3.50	£353,292
G6	£123,966	0.50	£61,983	0.50	£61,983
Development Staff		14.50	£1,100,445	14.50	£1,100,445
Operational Staff		3.75	£264,484	13.50	£721,678
Total Staff Costs		18.25	£1,364,929	28.00	£1,822,123
Infrastructure			£25,000		£60,000
Consultants			£700,000		£800,000
Totals			£2,089,929		£2,682,123

Operational Costs

8.5.20 The resources (FTE roles) described in this section are using estimates for 2027-28 to illustrate activities and resources as this will be the first full year of operational activity (no major service development).

8.5.21 Industry research indicates a demand for a straightforward, intuitive service that allows for fast and efficient property registration. Timely funding is necessary to invest in the design process. Without an effective digital service, an increase in personnel will be necessary, including customer support staff to assist users and additional resources to manage manual and inefficient operational procedures. The digital service will need to:

- allow people to create a user account
- enter information about both the visitor accommodation and the ownership dynamic
- be the entry point for other future services (e.g., visitor levy)
- have services running off the registration process e.g., a public register

8.5.22 It is essential that live systems receive proper maintenance. A variety of tasks must be performed to manage digital services, including:

- Patching, updates, cyber security
- Maintain accessibility standards
- Changes needed in line with changes to policy design / rates etc.
- Testing and Support in case the systems stop working

- Responding to feedback from users, and making iterative improvements (rather than big, wholesale changes every couple of years).
- Increasing automation in response to volume increases in semi-automated tasks.

8.5.23 This will require a small team of people for every element of the service registration and liability. However, WRA's structuring allows the services to cover multiple areas. As such, the registration will benefit from several people who can work across all the areas, but only pay for a proportion of them (as opposed to having dedicated staff for each area).

8.5.24 The types of roles that are in here include business analyst, service owner, service designer, tester, developers, user researcher, user experience (UX) and delivery manager, information and cyber security, data architecture, data manager and integrations. This does not include some line management costs where staff are matrix managed, if the line managers do not actively contribute to the implementation of the levy.

Supporting visitor accommodation providers / working with agents

8.5.25 Providers are expected to need assistance during the registration process despite the quality of guidance and systems available. The WRA is committed to helping individuals correctly complete their registration from the beginning, offering proactive support, especially in the initial stages of implementation. Guidance through the registration process is poised to have beneficial effects on subsequent services, such as the visitor levy.

8.5.26 It is anticipated that WRA's current operating hours (business hours Monday to Friday) may need to be extended to cover evenings and weekends, but this is subject to whether prescriptive deadlines are placed on when providers must register by. Some resources will need to increase or decrease as we learn more on the volumes of the number accommodation providers and the volume of de-registrations and new registrations, to support queries and to consider non-compliance.

8.5.27 WRAs existing helpdesk can help plan to manage peaks and troughs throughout the year by having staff work across registration, visitor levy, and the other devolved taxes which will benefit registrations efficiency.

WRA Staff

- 8.5.28 As a minimum 4 helpdesk full time equivalents (FTE) at team support (TS) (at least 2 of which to be Welsh speaking), who will answer calls and respond to e-mails / contact us queries from visitor accommodation providers and agents, dealing with as much as they can / escalating as needed, and undertake administrative duties. They will also be responsible for issuing late registration letters, amendments and generally corresponding and prompting customers. This could increase to 7 in the high scenario to deal with the potential additional volume (3 additional FTEs).
- 8.5.29 A junior developer (0.5 FTE at TS) would support the on-going needs of the digital service particularly around the digital products that might be required in association with registration e.g. for developments of a public register.
- 8.5.30 At Executive Officer (EO) grade this could include an information officer (0.5 FTE) which would oversee the information governance aspects associated with the registration such as data protection and record management activities. This is expanded to include 2 FTE compliance officers to support the day to day running of the registration scheme these would support identifying compliance risks and opportunities and investigate intelligence relating to non-compliance.
- 8.5.31 At the Higher Executive Office (HEO) grade there are a variety of different roles including DDAT roles such as data manager (0.5 FTE), developer (0.5 FTE), a test engineer (0.5 FTE), a PMO (0.5 FTE) and designer (0.5 FTE) this staff would work on maintain the digital service offering subject to user and organisational needs. The remaining posts would cover operational roles operations supervisor (1 FTE), and HR resource (0.5 FTE). These posts would work to support the collection, compliance, remittance and enforcement of the levy. The current assumption within the high-cost scenario includes an additional 2 FTEs to support compliance activity once there is a better understanding of the level of compliance.
- 8.5.32 The senior executive officer (SEO) roles include posts such as a policy lead (0.5 FTE), a service designer (0.5 FTE), senior software developer (0.5 FTE), a test engineer (0.5 FTE), a communication lead (0.5 FTE), a user researcher (0.5 FTE), a business analyst (0.5 FTE), an user experience designer (0.5 FTE), a delivery manager (0.5 FTE), customer relationship manager (0.5 FTE) and a cyber security lead (0.5 FTE).
- 8.5.33 The Grade 7 and 6 posts would cover 3.5 FTEs in 2027-28, covering posts such as chief digital officer (0.5 FTE), senior delivery manager (0.5 FTE), data lead (0.5 FTE), lead software architect (0.5 FTE), stakeholder lead (0.5 FTE), a lawyer (0.5 FTE) and a product manager (0.5 FTE). As the intention is to implement the registration in stages,

certain positions will be necessary in the initial year to recognise user needs and work with industry partners to address any problems. In the second year, some of these roles will transition to other areas of the business.

8.5.34 Some line management costs are not included where staff are matrix managed, if the line managers do not actively contribute to the implementation of the levy. Time spent by the Welsh Revenue Authority board/senior leadership time is also omitted as the funding for WRA board and senior leadership time is already baselined with the WRA core costs and it is not envisaged that this will increase significantly. Similarly, IT overheads such as the costs of supplying staff with equipment and licences have not been considered as these are currently unclear e.g. subject to specific experience, skills and the requirements of the staff.

8.5.35 In addition to staff costs, the 10-year forecasts include the on-going spending to cover infrastructure and consultants cost, similar to what is described in the development section.

Table 6: Estimated FTE Staff Numbers (2027-2028)

Grade	Annual Gross salary (£)	Low		High	
		FTE	Total	FTE	Total
TS	£39,463	4.50	£177,584	7.50	£295,973
EO	£50,334	2.50	£125,835	2.50	£125,835
HEO	£61,848	4.00	£247,392	6.00	£371,087
SEO	£77,694	5.50	£427,318	5.50	£427,318
G7	£100,941	3.00	£302,822	3.00	£302,822
G6	£123,966	0.50	£61,983	0.50	£61,983
Total		20.00	£1,342,934	25.00	£1,585,019

Table 7: Total estimate costs for the development and operation of a registration service for visitor accommodation providers

£000s										
	2025-26		2026-27		2027-28		2028-29		2029-30	
	Low	High	Low	High	Low	High	Low	High	Low	High
Development Costs	1,325	1,825	1,460	1,960	-	-	-	-	-	-
Operational Costs	264	264	480	722	1,508	1,925	1,112	1,529	1,112	1,529
Total	1,590	2,090	1,940	2,682	1,508	1,925	1,112	1,529	1,112	1,529

	2030-31		2031-32		2032-33		2033-34		2034-35	
	Low	High	Low	High	Low	High	Low	High	Low	High
Development Costs	-	-	-	-	-	-	-	-	-	-
Operational Costs	1,112	1,529	1,112	1,529	1,112	1,529	1,112	1,529	1,112	1,529
Total	1,112	1,529	1,112	1,529	1,112	1,529	1,112	1,529	1,112	1,529

Table 8: 10 Year Forecast Summary

10 Year Cost Forecast

£000s		
	Low	High
Total	12,823	17,402

Visitor levy

Estimations and assumptions

8.5.36 Several assumptions have been made to estimate these costs, which include:

- Local Authorities will be able to opt into visitor levy from March 2026.
- The legislative framework remains unchanged and as such the earliest that the visitor levy can be collected would be April 2027.
- Costs do not include a national / LA area communications campaign.

8.5.37 There are also several factors that could alter the cost of implementing the visitor levy, the major variables are:

- Whilst the legislation provides detail about how the visitor levy will operate there are still many operational requirements that are not known but will become clearer during the implementation stage.

- The data on the number and type of visitor accommodation in local authorities is not accurate, this will only be clarified as the service is rolled out.
- When and which local authorities will opt into the visitor levy.
- Recruitment of internal digital and data staff - additional allowances to retain staff and/or use of contracting staff to plug the skills gap may be needed. This is reflected in the range of costs and such issues may push the costs towards the higher end of the forecast.

8.5.38 The estimation has been built based on teams needed to build and operate the visitor levy. A distinction has been made between development costs and operational costs however it should be noted that during early operational activity (2026-27 to 2027-28) of visitor levy there will be a significant overlap between development and operational costs.

8.5.39 Costs will also depend on the number of local authorities that opt to use a levy and the number of visitor accommodation providers in a local authority area. Costs will also depend on the number of levy returns submitted by businesses. Given the high degree of uncertainty around how many local authorities will implement the levy and the number of visitor accommodation providers in each local authority area, a low and high estimate has been used.

8.5.40 In addition, the low estimate assumes that all internal resources are recruited to time, the high value assumes only 50% resources recruited and substituted by contractors. No distinction has been made between capital and revenue costs.

Fixed costs

8.5.41 As the visitor levy will be developed as a national system, the development costs will be substantially the same regardless of the number of local authorities that adopt the visitor levy. The same is also true for the operational running costs, there are significant fixed costs that will not be covered to support the running of the system.

8.5.42 The costs have been split into the initial development costs and subsequently the operational costs.

Development Costs

8.5.43 The development of the digital systems will have 3 main cost areas:

- **Staff Costs:** This will be WRA staff who are involved in the development and implementation of the digital service. Some of these staff will be employed specifically for visitor levy and some will be existing WRA staff. It is likely that some of these staff will continue to work on the visitor levy service in its operational phase. An assumption has been made that some of this resource will also be

working on registration service and will therefore be a shared resource where the costs are shared. Only the visitor levy portion is presented here to ensure there is no duplication of cost with costs presented for registration.

- **Contractor Costs:** There will be a need to employ contractors to assist in building the digital system, primarily to substitute for staff that we are not able to recruit or specific skills that are needed for short periods of time.
- **Infrastructure Costs:** Within the development phase there will be a need to create infrastructure to support the development environment, performance and security testing. This cost would include the licensing requirements needed to support the infrastructure of the service. The infrastructure cost includes licensing and equipment for visitor levy but not the licensing of equipment as a WRA employee.

8.5.44 Table 9 and 10 breakdown the development costs into low and high estimates, alongside the operational staff that will operate alongside them.

Table 9: Development costs (Low estimate)

FTEs	Cost (£)	2025-26		2026-27		2027-28	
		FTE	Total (£)	FTE	Total (£)	FTE	Total (£)
TS	£39,463	1.00	£39,463	2.00	£78,926	5.00	£197,315
EO	£50,334	0.50	£25,167	0.50	£25,167	0.50	£25,167
HEO	£61,848	4.50	£278,316	6.50	£402,011	8.00	£494,783
SEO	£77,694	7.00	£543,860	9.75	£757,519	10.50	£815,790
G7	£100,941	4.50	£454,233	6.00	£605,644	6.50	£656,114
G6	£123,966	0.50	£61,983	0.50	£61,983	0.50	£61,983
Development Staff		15.50	£1,173,916	18.50	£1,402,776	18.50	£1,402,776
Operational Staff		2.50	£229,105	6.75	£528,475	12.50	£848,376
Total Staff Costs		18.00	£1,403,021	25.25	£1,931,250	31.00	£2,251,152
Infrastructure			£0		£40,000		£60,000
Consultants			£200,000		£300,000		£75,000
Totals			£1,603,021		£2,271,250		£2,386,152

Table 10: Development costs (High estimate)

FTEs	Cost (£)	2025-26		2026-27		2027-28	
		FTE	Total (£)	FTE	Total (£)	FTE	Total (£)
TS	£39,463	1.00	£39,463	2.00	£78,926	8.00	£315,704
EO	£50,334	0.50	£25,167	0.50	£25,167	1.50	£75,501
HEO	£61,848	4.50	£278,316	6.50	£402,011	10.00	£618,479
SEO	£77,694	7.00	£543,860	9.75	£757,519	10.50	£815,790
G7	£100,941	4.50	£454,233	6.00	£605,644	7.50	£757,055
G6	£123,966	0.50	£61,983	0.50	£61,983	0.50	£61,983
Development Staff		15.50	£1,173,916	18.50	£1,402,776	18.50	£1,402,776
Operational Staff		2.50	£229,105	6.75	£528,475	19.50	£1,241,736
Total Staff Costs		18.00	£1,403,021	25.25	£1,931,250	38.00	£2,644,512
Infrastructure			£0		£40,000		£60,000
Consultants			£700,000		£800,000		£250,000
Totals			£2,103,021		£2,771,250		£2,954,512

Operational costs

8.5.45 The resources described in this section are using 2028-29 estimates to illustrate activities and resources. 2028-29 would be the first full year of operational activity (no major service development).

8.5.46 The digital services:

- allow visitor accommodation providers to do a light touch registration (perhaps something more akin to sign on), and provide information to allow them to know when to make a return
- allow visitor accommodation providers to self-assess and submit their visitor levy return
- allow visitor accommodation providers to pay the visitor levy
- allow visitor accommodation providers to make amendments to their visitor levy returns
- allow visitors to deal directly with WRA and claim a refund as necessary

8.5.47 Digital service maintenance includes:

- Patching, updates, cyber security
- Maintain accessibility standards
- Changes needed in line with changes to policy design / rates etc.
- Testing
- Support in case the systems stop working

- Responding to feedback from users, and making iterative improvements
- Increasing automation in response to volume increases in semi-automated tasks.

8.5.48 This requires a small team of people for every service – payment, registration and liability. However, WRA is structured to allow the services to cover multiple taxes, and potentially registration. As such, the levy will benefit from several people who can work across all the services but pay for a proportion of them only. These costs remain fairly static regardless of the number of transactions that are going through.

8.5.49 The types of roles include business analyst (BA), service designer, tester, developers, user researcher, user experience (UX) and delivery manager, information and cyber security, data architecture, data analyst and integrations.

Supporting taxpayers / working with agents

8.5.50 Considerations for supporting visitor accommodation providers and working with agents to ensure that the requirements for the visitor levy are met will largely involve:

- Upfront support to help people adjust to the new levy. Support and grow knowledge and capability thus reducing the compliance effort needed after returns have been filed.
- It is expected activity will come in peaks and troughs – there is an annual filing date for most visitor accommodation providers, although some higher ones will be quarterly, meaning there will be one large filing peak and three smaller ones throughout the year.
- It is anticipated that current operating hours (business hours Monday to Friday) may need to be extended to cover evenings and weekends, due to filing deadlines and the working patterns of taxpayers. This may increase some of the operational costs.
- The number of resources required will depend on how many local authorities choose to participate in the levy. It is reasonable to expect that with more transactions, there could be an increase in activity such as supporting a larger number of visitor accommodation providers, processing more returns, managing riskier cases, expanding outreach and educational efforts across more local authority areas, and processing additional data from Online Travel Agents (OTAs).

- Opportunity costs will potentially be realised given that the WRA has an existing helpdesk which will be used to manage peaks and troughs throughout the year by having staff who are able to work across the various taxes that the WRA collect and manage, which will benefit the visitor levy efficiency.

WRA Staff

- 8.5.51 As a minimum four helpdesk full time equivalents (FTE) at team support Team Support (TS) level (at least two of which to be Welsh speaking), will be responsible for answering calls and responding to e-mails from taxpayers and agents / OTA's. They will also be responsible for issuing late filing letters, repayments, amendments and generally corresponding and prompting customers. This could increase to 7 in the high scenario to deal with the potential additional volume (3 additional FTEs). A Junior developer (0.5 FTE at TS) would support the on-going needs of the digital service particularly around the digital services associated with payments.
- 8.5.52 At Executive Officer (EO) grade an information officer (0.5 FTE) would oversee the information governance aspects associated with the visitor levy such as data protection and record management activities. This is expanded to include a compliance officer.
- 8.5.53 At Higher Executive Office (HEO) there are a variety of different roles including DDAT roles such as data (0.25 FTE), Developer (1 FTE), a test engineer (1 FTE) and Designer (0.5 FTE) working on maintaining the digital service offering subject to user and organisational needs. The remaining posts would cover operational roles such as a finance officer (1 FTE), operations supervisor (1 FTE) and a HR resource (0.5 FTE). These posts would work to support the collection, compliance, remittance and enforcement of the levy. This could increase by adding 2 FTE to support compliance activity (or more) once there is a better of understanding of the levels non-compliance and compliance techniques and tools for VL have been developed, and likewise could reduce if levels of compliance are high.
- 8.5.54 The Senior Executive Officer (SEO) roles include posts such as Comms (0.5 FTE), Senior software developer (0.25 FTE), delivery manager (1 FTE), User researcher (1 FTE), senior finance officer (1 FTE), a designer (0.5 FTE). Customer relationship management developer (0.5 FTE), Cyber security (0.5 FTE) and local authority relationship manger (1 FTE).
- 8.5.55 A Grade 7 tax lead will be responsible for the administration and collection of visitor levy tax. They will lead all levy work and provide leadership to the team, including:

- lead and land the roll out of VL across the customer base and sector, support education efforts, write, own, update the VL guidance and lead the digital teams work on developing a tax system that is fit for purpose, and then maintain / continuously improve the system to meet customers' needs and/or changes to policy.
- train their team on the VL tax technical rules to ensure they can support customers and work enforcement and compliance cases accurately
- deal with complex cases and support in contentious cases, which may include Tribunal cases
- Maximise the operational efficiency by targeting tax risks to improve tax collection.
- Work closely with policy to ensure the legislation is working as intended and to support the operationalisation of any policy / rate changes.

8.5.56 A Grade 7 lawyer will provide support if needed for cases which go to appeal / Tribunal and to support the development of the tax, guidance, and practical issues around non-compliance and escalation. This may need to increase to two over time.

8.5.57 A Grade 7 finance lead will support the collection and payment of the visitor levy. These activities would include monitoring the visitor levy revenues, reconciling the levy amounts to each local authorities and identifying the level of debt and refund support required to be captured in the WRA's accounting. A Grade 7 product/service owner (0.5 FTE) will be responsible for the maintenance and the continuous improvement of the visitor levy service. They will work with partners across the sector and government to develop the vision of the service over time. A Grade 7 business analyst (0.5 FTE) will facilitate the sprints alongside supporting the team to manage the processes and work across the organisation to identify business needs. A stakeholder lead (0.5 FTE) will support the communication and engagement with accommodation providers, online booking agents, and tourism bodies.

8.5.58 There will be some overhead costs – such as, but not limited to, Board /Senior leadership time, HR, IT overheads, the costs of supplying staff with IT equipment and licences, communications campaigns, T&S etc. These costs are not included in the estimates as it is not envisaged that there will be an increase in these costs, although this is currently unclear e.g. subject to the specific experience, skills and requirements of staff.

Table 11: Estimated FTE Staff Numbers in 2028-2029.

Grade	Annual Gross salary (£)	Low		High	
		FTE	Total	FTE	Total
TS	£39,463	4.50	£177,584	7.50	£295,973
EO	£50,334	0.50	£25,167	1.50	£75,501
HEO	£61,848	5.25	£324,702	7.25	£448,397
SEO	£77,694	6.25	£485,589	6.25	£485,589
G7	£100,941	4.00	£403,762	5.00	£504,703
Total		20.50	£1,416,804	27.50	£1,810,163

Table 12: Total Development and Operational Estimates for the Visitor Levy

	<i>£000s</i>									
	2025-26		2026-27		2027-28		2028-29		2029-30	
	Low	High	Low	High	Low	High	Low	High	Low	High
Development Costs	1,374	1,874	1,743	2,243	1,538	1,713	-	-	-	-
Operational Costs	229	229	528	528	848	1,242	1,552	2,120	1,552	2,120
Total	1,603	2,103	2,271	2,771	2,386	2,955	1,552	2,120	1,552	2,120
	2030-31		2031-32		2032-33		2033-34		2034-35	
	Low	High	Low	High	Low	High	Low	High	Low	High
	-	-	-	-	-	-	-	-	-	-
Operational Costs	1,552	2,120	1,552	2,120	1,552	2,120	1,552	2,120	1,552	2,120
Total	1,552	2,120	1,552	2,120	1,552	2,120	1,552	2,120	1,552	2,120

Table 13: 10 Year Forecast Summary

10 Year Cost Forecast Summary		
<i>£000s</i>		
	<i>Low</i>	<i>High</i>
Welsh Government Cost	6,260	7,829
Local Authorities Cost	10,863	14,841
Total	17,123	22,670

8.5.59 The intention of the Bill is that the visitor levy will raise additional revenue for those local authorities who chose to implement it. We anticipate the earliest point a visitor levy can be in place in any part of Wales is 2027, therefore, it is intended that from 1 April 2028 any on-going administration costs will be recovered from levy receipts

collected by the WRA before remittance to local authorities. As a result, there will be no ongoing net cost to Welsh Government budgets.

8.5.60 There is a risk that it may not be possible to recover sufficient levy receipts to cover the costs of administration if not enough local authorities opt to use a levy, or if revenues are lower than WRA operating costs. If this scenario did arise, Welsh Government would need to cover the remaining administration costs as holding responsibility under TCMA for the funding of WRA’s functions.

Welsh Government – other costs

8.5.61 It is intended that Welsh Government will also incur some transitional costs, including:

- Producing guidance for local authorities on operationalisation of the visitor levy
- Communication and marketing activity for registration and the visitor levy
- Post implementation monitoring and evaluation

Guidance for local authorities

8.5.62 It is anticipated that the Welsh Government will incur costs preparing guidance for local authorities on operationalisation of the visitor levy. This opportunity cost is set out in table 14 below and it is anticipated that costs will be incurred in 2025– 2026.

8.5.63 Welsh Government staff costs have been based on the average pay band costs for 2023-2024.

Table 14: Producing guidance for local authorities on operationalisation of the visitor levy

Staff cost	Annual Salary Gross cost (£)	Monthly Gross Cost (£)	Time Required	Total (£)
G7	£92,844	£7,737	1 month	£7,737
SEO	£71,380	£5,948	1 month	£5,948
HEO	£57,059	£4,755	1 month	£4,755
Translator (SEO)	£71,380	£5,948	1 month	£5,948
Total				£24,000

Communication and marketing activity

- 8.5.64 It is estimated that a public information campaign for the registration scheme would cost in the region of £50,000 - £100,000 based on other Welsh Government campaigns on the same scale. It is expected that the majority of this cost would be incurred in the lead up to implementation in 2025-2026.
- 8.5.65 There is a necessity for every visitor accommodation provider to be made aware of the policy, timescales involved and what action is required of them. It is possible to reach a large proportion of accommodation providers using existing channels such as through PR activity, Visit Wales and Business Wales newsletters, social media, on-going engagement and tourism industry fora. We would work with key partners to share key messaging and amplifying the call to action - to register – which will form a large part of the communications strategy for both the registration scheme, and the visitor levy.
- 8.5.66 A budget will be required to complement this work to ensure information is disseminated as widely as possible. Therefore, a mix of using existing communications channels along with paid-for activity such as targeted digital media, local press advertisements, and possible radio ads will maximise the reach to all visitor accommodation providers.
- 8.5.67 It is expected that there will also be costs associated with developing marketing materials for the visitor levy, using the Welsh Government in-house design team to develop the visitor levy branding. This will ensure that expenditure can be kept to a minimum whilst producing a corporate look and feel for the visitor levy that can be used consistently where implemented.
- 8.5.68 Marketing materials will be ‘road-tested’ to ensure they are fit for purpose when communicating to both visitors and businesses. This commissioned research would incur a one-off spend of around £20,000 - £30,000. This cost is expected to be incurred in 2025-26.
- 8.5.69 There will also be costs associated with developing a marketing toolkit aimed at local authorities who chose to implement the levy. It is expected that Welsh Government would host the marketing assets online in a downloadable format. This would include signage/ posters/ leaflets and front desk information. A budget of around £30,000 - £50,000 is required to support comms activity and public information and awareness campaigns for LAs who chose to implement the levy. This is expected to be an annual cost which will be incurred from 2026-27 onwards.

8.5.70 We do not envisage costs associated with sharing guidance to LAs and accommodation providers. We would use existing communications channels, such as our WG website and newsletters to publicise guidance and will work with Visit Wales and WRA to target businesses directly. Visit Wales would raise awareness to international visitors about the levy via their established channels.

Monitoring & Evaluation

8.5.71 The visitor levy is a discretionary tax, therefore setting out a timeline and the associated costs for formal post implementation review is difficult as it may take several years for local authorities to sign up for the scheme.

8.5.72 The outcome of the legislation will be monitored on an ongoing basis, with a combination of methods, including monitoring the Welsh economy and supply/ demand indicators. There will be use of existing data gathered from the relevant Visit Wales surveys, Tourism Barometer and additional engagement with local authorities and the tourism sector to understand the effectiveness of the legislation.

8.5.73 It is expected that there will be some bespoke data collection with industry once the levy is operational in one or more areas, with an approximate cost of a telephone survey to accommodation providers of around £20,000 per annum.

8.5.74 Given that the bespoke data collection would only be required once one or more local authority has implemented the levy, it is therefore assumed that the earliest that these costs will be incurred from is 2027-28. These costs are set out in table 15 below.

Table 15: Summary of expected transitional costs to the Welsh Government

	2025-2026 (£)	2026-2027 (£)	2027-2028 (£)	2028-2029 (£)	2029-2030 (£)	2030-2031 (£)	2031-2032 (£)	2032-2033 (£)	2033-2034 (£)	2034-2035 (£)
Preparation of guidance	24,000	-	-	-	-	-	-	-	-	-
Comms & Marketing activity (VL)	20,000 – 30,000	0 – 50,000	0 – 50,000	0 – 50,000	0 – 50,000	0 – 50,000	0 – 50,000	0 – 50,000	0 – 50,000	0 – 50,000
Comms & Marketing activity (Reg)	50,000 – 100,000	-	-	-	-	-	-	-	-	-
Monitoring & Evaluation	-	-	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000
Total	94,000 – 154,000	0 – 50,000	20,000 – 70,000	20,000 – 70,000	20,000 – 70,000	20,000 – 70,000	20,000 – 70,000	20,000 – 70,000	20,000 – 70,000	20,000 – 70,000

Local authorities

- 8.5.75 Given that the Bill sets a requirement for local authorities to conduct a consultation and assess impacts before a decision to implement a visitor levy is made, and there is a requirement for a 12-month notification period for accommodation providers and visitors, it is assumed that the earliest a visitor levy could be applied in Wales would be 2027.
- 8.5.76 It is assumed therefore that in financial years 2025-26 and 2026-27, local authorities will incur some one-off costs for consultation and engagement and to develop required processes and systems to collect and remit a visitor levy. These assumptions are reflected in the presentation of costs throughout the Regulatory Impact Assessment, however, it should be noted that local authorities may choose to introduce a visitor levy at a later point in time.
- 8.5.77 As a discretionary power, only local authorities who choose to consider introducing a visitor levy within their area will incur any costs associated with the Bill. The intention of the Bill is that a visitor levy will raise additional revenues for these local authorities. Whilst the up-front decision-making costs will need to be financed within existing local authority budgets, the on-going running costs of collecting the levy will be undertaken centrally via the WRA with the cost for this offset against visitor levy revenues. Net proceeds from a visitor levy will then be invested by the local authority in areas supporting destination management and improvement.
- 8.5.78 Costs to local authorities have been estimated through a joint exercise between Welsh Government and individual local authorities, to identify and establish a range of initial estimates for the likely administrative and compliance costs associated with a visitor levy. Two local authorities provided initial estimates for the consultation and on-going costs associated with administering a future visitor levy. These estimates were based on local authority responsibilities regarding the proposed levy and focused on areas including reporting, consultation and ongoing engagement.
- 8.5.79 The Bill sets out various requirements local authorities must meet before introducing a visitor levy. This includes the requirement to consult with communities, businesses and other relevant local stakeholders. Local authorities may also be required to publish any impact assessments required under existing statutory duties to consult and have regard for groups and communities.

- 8.5.80 The cost of any consultation exercise is likely to vary depending on the format of the consultation, the number of questions asked, the number of responses received, the number of face-to-face engagements undertaken and whether the consultation is undertaken in-house or is contracted out to a third party. Therefore, there is some degree of uncertainty over the costs that might arise for a given local authority. The requirement to conduct impact assessments will also add to the decision-making costs for local authorities.
- 8.5.81 We received two cost ranges from local authorities on the estimated cost for conducting consultations and the additional requirement to also conduct and publish an impact assessment. Based on these ranges and by using the recent Welsh Government visitor levy consultation as a baseline comparator, a reasonable estimate of a one-off consultation is between £5,000 - £30,000. Costs associated with publication of a decision on implementing a visitor levy range from £5,000-£10,000. The variation in estimated costs is reflective of the size of the tourism sector across Wales. Some local authorities may want or need to undertake greater engagement and consultation before introducing a visitor levy. These costs reflect a proportionate approach based on the size and scale of the local tourism economy.
- 8.5.82 Local authorities that choose to implement a visitor levy are also likely to incur minimal ongoing recurring costs each year associated with the operation of a visitor levy. The Bill includes a requirement for local authorities to report annually on the amount of revenue generated by the levy and what it has been spent on. Again, there is uncertainty around the cost estimates for this activity which will vary depending on the size and scale of the local tourism sector. It is expected that costs would be higher for local authorities where more staff are needed, or a more detailed report is required. Therefore, based on the broad estimates from local authorities on the cost for compiling and publishing this annual report range from £1,000 - £5,000.

Table 16: Summary table of expected costs to an individual local authority associated with a visitor levy*

	2025 - 2026 (£)	2026 - 2027 (£)	2027 - 2028 (£)	2028 - 2029 (£)	2029 - 2030 (£)	2030 - 2031 (£)	2031 - 2032 (£)	2032 - 2033 (£)	2033 - 2034 (£)	2034 - 2035 (£)
Consultation and decision-making	5,000 - 30,000	0	0	0	0	0	0	0	0	0
Publication of decision	0	5,000 - 10,000	0	0	0	0	0	0	0	0
Annual reporting	0	0	1,000 - 5,000	1,000 - 5,000	1,000 - 5,000	1,000 - 5,000	1,000 - 5,000	1,000 - 5,000	1,000 - 5,000	1,000 - 5,000
Total	5,000 - 30,000	5,000 - 10,000	1,000 - 5,000	1,000 - 5,000	1,000 - 5,000	1,000 - 5,000	1,000 - 5,000	1,000 - 5,000	1,000 - 5,000	1,000 - 5,000

*Note: This illustrates the years that costs would fall to a local authority if they chose to consult on the levy in 2025 - 2026. If a local authority chooses to introduce a visitor levy at a later point in time, then costs will fall in later dates.

8.5.83 At this stage, it is unclear how many, and which local authorities will consult on and implement the levy. We received positive responses from some local authorities as part of the consultation activity, but local authorities will ultimately need to consult and consider locally before deciding on whether to use a levy. For the purpose of presenting a total cost estimate, if all 22 local authorities were to consult on and implement the levy, upfront costs would be between £220,000 and £880,000 with annual ongoing costs of between £22,000 and £110,000. It is recognised this is likely to over-estimate the actual total cost.

Table 17: Cost if all 22 local authorities consult on and implement the visitor levy

	Minimum cost	Maximum cost
Upfront cost (£)	220,000	880,000
Annual ongoing cost (£)	22,000	110,000

Revenue generated from the visitor levy

8.5.84 The levy has been designed in a way to empower local authorities to make decisions based on their own needs. The levy is discretionary, meaning that it will be for local authorities to decide, following consultation in their local areas, whether to implement a levy. For those local authorities who choose to, the revenue raised through the levy can be used to sustain and re-invest into public services and

infrastructure or support sensitive and ecologically valuable landscapes.

8.5.85 The Bill legislates for a fixed rate based on a per person per night basis of £0.75 per person for tents on campsites and hostel accommodation and £1.25 per person for all other accommodation types. The Bill also provides for a regulation making power for Welsh ministers to make regulations to revise the visitor levy rates that are set in legislation. Revenues raised from the levy depend on the number of local authorities which adopt a levy in their area.

8.5.86 Under simplifying assumptions, and if it were implemented by all local authorities in Wales, it is estimated that a visitor levy could **raise up to £33 million per year in revenue**. This figure is based on data regarding the number of nights spent by both international and domestic visitors in Wales as reported in the Welsh Government's regional and local tourism profiles⁵⁰. It also includes assumptions (informed by the data) regarding the proportion of nights spent in commercial accommodation, and how these are disaggregated between the two types of accommodation covered by the separate levy rates. Detailed estimate workings are shown at Annex 4. This revenue estimate should be viewed as a maximum, as it does not include:

- (i) an allowance for behavioural responses by visitors to the levy,
- (ii) deductions for the cost of collection nor exemptions to the levy, and
- (iii) assumes full compliance with the levy and all its requirements.

8.5.87 In order to provide a range however, should only one local authority decide to introduce a levy, and that local authority was located in a lesser well visited part of Wales in terms of the nights spent there by visitors in commercial accommodation, then estimated revenues from the levy could be less than £1 million per year. Alternatively, if no local authorities used the levy, then there would be £0 benefit. Assuming a well-visited local authority is one that is in the top quarter of local authorities in Wales in terms of overnight stays, then such a local authority might be expected to raise over £2 million in revenues per year from the levy. This estimate is however subject to the same caveats as those outlined for the headline revenue estimate for Wales presented at Annex 4. Estimated revenues are therefore anticipated to fall within a range of up to £33 million per year. If half the nights spent in commercial accommodation in Wales each year fell within areas where the levy were in use, then estimated revenues from the levy could be up to £17 million per year as a central estimate. However, at

⁵⁰ [Regional and local tourism profiles: 2017 to 2019 | GOV.WALES](#)

this point, it is not known how many, or which local authorities will make use of the new visitor levy power.

8.5.88 As the visitor levy will be introduced at a local authority level as noted above, it is important to recognise the size of the visitor economy varies in significance across different areas of Wales. Revenues would be variable across local authority areas therefore reflecting this variation, and it will be for local authorities to determine their own assessment of the potential impacts of a visitor levy locally in their areas. Seeking to forecast revenues from a visitor levy in their area prior to implementation by those local authorities wishing to use the new power would be encouraged. The Compendium of visitor and visitor accommodation provider data sources⁵¹, provides further context related to the tourism industry in Wales, providing data on visitor numbers, nights stayed, visitor spend, and accommodation supply figures for types of establishments (Serviced, Self Catering, Camping/Caravan, Hostels, and Alternative), number of establishments, and total bedspaces.

8.5.89 The levy presents an opportunity for local authorities to raise additional income, which, given the particularly challenging economic climate could help to support already stretched local services in areas relating to destination management spending.

Visitor accommodation providers (VAPs)

8.5.90 This section provides detail on the assumptions used to calculate indicative average registration, set-up and on-going compliance costs that are likely to be faced by accommodation providers. Cost associated with the levy will only be incurred by providers in local authority areas that chose to implement a visitor levy.

Registration

8.5.91 All visitor accommodation providers operating in Wales will be required to register. This will involve providing personal details such as their name, the trading or business name and the address of the visitor accommodation.

8.5.92 Registration will be free but as this will be a new requirement there is an expected opportunity cost. This reflects the value of the time spent completing the registration process and the value of the providers' time required to read guidance and understand what action they need to take. Estimated costs to providers for registration have been established via the WRA. To be able to estimate these costs there are some underpinning assumptions, which include:

⁵¹ [Compendium of visitor and visitor accommodation provider data sources \(gov.wales\)](#)

- A digital only registration.
- Existing platforms are used for account creation
- Only basic information will be required in the first iteration of registration
- Providers won't have to re-register, but mechanisms will be in place to confirm whether their details are still correct.

8.5.93 As a comparator, other government services such as creating a government gateway account, which is a pre-cursor before registering to other services, takes 5 minutes⁵². Other government service such as registering to vote usually takes 5 minutes⁵³ or registering with a GP is estimated to take 15 minutes⁵⁴. However, these represent single registration processes. Rent Smart Wales registers landlords with individual and multiple properties. Their analysis estimates that for their service, landlords take around 30 minutes when registering one property up to around an hour for landlords with 10+ properties.

8.5.94 Therefore, it is estimated that on average, accommodation providers will take from 10 minutes to 1 hour to familiarise themselves with the requirements and to complete their registration. This may be in one go or over several days. Using the average hourly earnings of £14.81 per hour⁵⁵, this would therefore range between £2.47 and £14.81 per business.

8.5.95 Using the low and high estimates for registration numbers contained in the WRA cost section at 8.5.16, it is estimated that the total compliance cost for the existing stock of visitor accommodation providers to register will range from £40,000 - £237,000 for the low estimate and between £136,000 - £815,000 for the high estimate. These broad ranges reflect the uncertainty around the number of visitor accommodation providers that will need to register and the amount of time it will take them.

⁵² [Childcare service | Government Gateway: sign in or set up \(tax.service.gov.uk\)](#)

⁵³ [Register to vote - GOV.UK \(www.gov.uk\)](#)

⁵⁴ [Find a GP - NHS \(www.nhs.uk\)](#)

⁵⁵ Gross median hourly earnings for accommodation and food service activities, managers, directors, and senior officials, Office for National Statistics (ONS), released 1 November 2023, [Employee earnings in the UK: 2023](#)

- 8.5.96 The first phase of registration is expected to commence in 2026, with the registration of all existing providers assumed to be spread evenly over a two-year period. The Welsh revenue authority will monitor the time taken to complete the registration details as they develop the service, through working alongside the industry.
- 8.5.97 Due to the complexities around modelling the ongoing requirements to keep the register up-to date. The assumption is that most providers will make no changes year-on-year, however when they do, it will only be minimal information that will change such as contact details and/or correspondence address. It is anticipated that this would take providers 50% less time than the original registration process (up to 30 minutes). Therefore, it is estimated that this could range from £0 to £7.41 per business, per annum. However, the WRA have currently been unable to find evidence to support these assumptions. The WRA will continue to design and collaborate with businesses to minimise the administrative burden on its users.
- 8.5.98 In addition to the existing stock of visitor accommodation providers, there is also expected to be a degree of churn with some new providers opening and some choosing to exit the sector during the appraisal period. As noted in paragraph 8.5.6, recent trends suggest the number of new accommodation providers opening each year will be between 5% and 15% of the current stock. Similarly, the number of closures each year is estimated to be between 5% and 15% of the current stock. The time required for new providers to register is assumed to be the same as existing providers. The time required for those providers who are exiting the sector to de-register is assumed to be half that of the initial registration process. On this basis, the ongoing cost to new providers and exiting providers is estimated to be between £3,000 and £163,000 per annum. For the purposes of the RIA, these costs are assumed to be incurred from 2028-29.

Table 18: Estimated total registration opportunity costs for Visitor Accommodation Providers

	<i>£000s</i>									
	2025-26		2026-27		2027-28		2028-29		2029-30	
	<i>Low</i>	<i>High</i>	<i>Low</i>	<i>High</i>	<i>Low</i>	<i>High</i>	<i>Low</i>	<i>High</i>	<i>Low</i>	<i>High</i>
Existing business registrations	-	-	10	204	20	407	10	204	-	-
New business registrations	-	-	-	-	-	-	2	122	2	122
De-registrations	-	-	-	-	-	-	1	41	1	41
Total	-	-	10	204	20	407	13	367	3	163

	2030-31		2031-32		2032-33		2033-34		2034-35	
	<i>Low</i>	<i>High</i>	<i>Low</i>	<i>High</i>	<i>Low</i>	<i>High</i>	<i>Low</i>	<i>High</i>	<i>Low</i>	<i>High</i>
Existing business registrations	-	-	-	-	-	-	-	-	-	-
New business registrations	2	122	2	122	2	122	2	122	2	122
De-registrations	1	41	1	41	1	41	1	41	1	41
Total	3	163	3	163	3	163	3	163	3	163

Visitor Levy

8.5.99 The proposed visitor levy will also result in additional requirements to Welsh accommodation providers that operate in any local authorities that introduce the levy. Accommodation providers could potentially incur costs for initial up-front setup costs and ongoing administration costs.

8.5.100 The experience of each business implementing a levy will be different which makes it challenging to calculate exact administrative costs. However, the estimates below try to give an indication of both the up-front and on-going costs businesses may face. The actual compliance costs that could arise for a particular business will depend on a combination of factors that will be potentially unique to each business. For example, costs will likely be lower for providers where:

- the levy is calculated based off information the provider already collects (i.e. no significant changes required)
- Economies of scale engaged via online travel agents/third parties are used by providers – e.g. Airbnb, Booking.com have

existing functionality which can be switched on resulting in lower one-off provider costs to update their software (we would assume most providers are using intermediaries to take bookings)

- Providers use similar software providers and therefore economies of scale are engaged should software providers have to update their systems to account for a levy (resulting in lower overall costs for each provider compared to use of unique booking/accounts software)

8.5.101 However, it is also recognised that costs may be higher in certain circumstances, for example on those businesses using unique software or taking the majority of their bookings directly.

8.5.102 Accommodation providers will need to update their systems and processes to ensure there is provision to inform visitors about the levy and be able to collect it. From an accommodation provider perspective these up-front costs may include tasks such as:

- Familiarisation with what is required to comply with guidance on the visitor levy
- Undertaking or commissioning necessary updating or changing to existing property management systems used for managing bookings or generating invoicing
- Training existing staff on new systems or changes that have been made to an existing system
- Testing or piloting any new systems before a visitor levy is required to be collected
- Renegotiating existing contracts with third parties (such as third-party booking platforms or online travel agents) where a commission is based on the price of accommodation sales
- Altering pricing schedules or models to account for the visitor levy.

8.5.103 Once a visitor levy is introduced in a local authority, accommodation providers will be required to carry out on-going tasks, such as:

- Prepare a levy return to the Welsh Revenue Authority (WRA) (for example, quarterly or annually)
- Reconciliation and due diligence checks, for example, that the correct visitor levy rate is applied to invoices
- Additional record keeping activities, for example, if any exemptions or potentially refunds exist and need to be evidenced to the WRA if questioned

- Explain to customers why a visitor levy has been added to their accommodation bill.

8.5.104 In order to establish an indicative average set-up and on-going compliance cost, the figures published by the Scottish Government in its Financial Memorandum⁵⁶ for the Visitor Levy (Scotland) Bill and figures published by HMRC for their Making Tax Digital Programme (MTD) have been used to provide an estimate of potential costs. The MTD programme involved transitional costs for businesses and self-employed traders to keep digital records, submit quarterly updates and provide returns through compatible software. Although not directly comparable to the visitor levy, it provides a useful comparative benchmark for likely indicative costs.

8.5.105 The Financial Memorandum for the Visitor Levy (Scotland) Bill estimated upfront costs for introduction of a levy at between £150 and £1,100 for a microbusiness and between £3,000 and £10,000 for a small-medium sized business. Ongoing costs were estimated to be between £200 and £850 for a microbusiness and between £300 and £400 for a small-medium sized business.

8.5.106 Several reports and research papers have been published by HMRC on the costs to businesses from MTD. The customer costs and benefits for the next phases of Making Tax Digital report highlights that the average transitional cost for businesses as a result of the extension to MTD for VAT was around £330 and an annual cost of £35 per business within scope. More recent figures for MTD for Income Tax Self-Assessment for sole traders and landlords estimated a transitional cost of £320 and an annual average ongoing cost of £110⁵⁷. While these figures aren't directly comparable, they offer an indication of the potential range of cost estimates. Costs will be highly variable per provider according to their circumstances. Costs will be higher for those that:

- Engage the services of a third-party such as an accountant or tax agent
- Operate bespoke accounting software
- Have a larger business (as this will increase the size and complexity of the return).

8.5.107 It should be noted however that estimated costs for providers in Scotland may be higher as levy rates will be administered on a percentage basis

⁵⁶ [Visitor Levy Scotland Bill Financial Memorandum | Scottish Parliament Website](#)

⁵⁷ [Making Tax Digital for Income Tax Self Assessment for sole traders and landlords - GOV.UK \(www.gov.uk\)](#)

(the level of which will be decided by individual local authorities). Exemptions will also be decided on a local authority basis meaning that there could be additional complexities for businesses in Scotland compared to Wales where the provisions in the Bill set out a fixed levy rate and exemptions on a national basis.

8.5.108 A central estimate of the Scottish ranges has been used in the calculations below alongside the average costs publicised by HMRC (up-front costs of £320- £625 for micro businesses and £320- £6,500 for small-medium businesses and ongoing costs of £110- £525 for micro businesses and £110- £350 for small-medium businesses).

8.5.109 Given the uncertainty about the number and size of visitor accommodation providers in Wales, the estimates for the potential upfront and ongoing costs incurred by the sector are necessarily presented in broad ranges.

8.5.110 The WRA's costings for a National Register are based on an estimate of there being between 16,000 and 55,000 visitor accommodation providers in Wales. Those same numbers are used here as the basis for estimating the compliance costs incurred by providers. A central or midpoint figure of 35,500 providers is also presented. The Interdepartmental Business Register on 'local units' suggests there are there are 595 small-large businesses in the sector (with the remainder all microbusinesses)⁵⁸. The estimates below have therefore been calculated on this basis.

Table 19: Estimated total costs for Visitor Accommodation Providers

Number of Providers	16,000	35,500	55,000
Upfront cost (£)			
Min	5,120,000	11,360,000	17,600,000
Max	13,496,000	25,683,000	37,871,000
Ongoing cost (£)			
Min	1,760,000	3,905,000	6,050,000
Max	8,296,000	18,533,000	28,771,000

⁵⁸ [UK business: activity, size and location - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

8.5.111 As can be seen from the table, the calculations suggest a maximum upfront cost of between £5.1m and £37.9m and annual ongoing costs of between £1.7m and £28.8m. The precise costs are highly uncertain given the lack of any direct comparator.

8.5.112 The mid-point estimate serves as our best approximation. Considering the uncertainty regarding the exact number of establishments operating in Wales and their alignment at a business/enterprise level, we believe this assumption is reasonable. Consequently, the provided estimates likely result in a significant overestimation of costs. This figure also presumes that all local authorities in Wales will implement a visitor levy, although it remains uncertain how many will actually choose to do so.

8.5.113 Following the introduction of the visitor levy, it is likely a full implementation review is required to further understand these figures and to evaluate the total costs to providers.

Visitors

8.5.114 Should accommodation providers pass on the cost of a visitor levy to visitors, then those using overnight accommodation in those parts of Wales where a visitor levy has been introduced will have to pay a higher price for accommodation than previously. This will raise the cost of visiting these areas, and therefore may lead to some changes in visitor behaviour as discussed above.

8.5.115 The Bill legislates for a fixed rate based on a per person per night of £0.75 per person for tents on campsites and hostel accommodation and £1.25 per person for all other accommodation types. As outlined at section 8.5.86 under simplifying assumptions, and if it were implemented by all local authorities in Wales, it is estimated that a visitor levy could raise up to £33 million per year in revenue. The revenue raised will be via a cost to visitors, therefore it corresponds that the cost to visitors as a whole could be up to £33 million per year.

8.5.116 Table 20 below provides some examples of the range of possible visitor levy amounts payable by different groups of visitors dependant on the type of accommodation and if this falls into the higher or lower rate categories.

Table 20 - Examples of visitor levy payable by visitors in different scenarios based on the higher and lower rate

Category 1 – Lower rate

Scenario	Hostels, Campsites (tent pitches)/ Lower Rate: £0.75 (£0.90)
Solo traveller staying 3 nights	£2.25 (£2.70)
Solo traveller staying 7 nights	£5.25 (£6.30)
Couple staying 3 nights	£4.50 (£5.40)
Couple staying 7 nights	£10.50 (£12.60)
Family of 4 staying 3 nights	£9.00 (£10.80)
Family of 4 staying 7 nights	£21.00 (£25.20)

Note – brackets indicate VAT inclusive cost (at 20%)

Category 2 – Higher rate

Scenario	All other accommodation/ Higher rate: £1.25 (£1.50)
Solo traveller staying 3 nights	£3.75 (£4.50)
Solo traveller staying 7 nights	£8.75 (£10.50)
Couple staying 3 nights	£7.50 (£9.00)
Couple staying 7 nights	£17.50 (£21.00)
Family of 4 staying 3 nights	£15.00 (£18.00)
Family of 4 staying 7 nights	£35.00 (£42.00)

Note – brackets indicate VAT inclusive cost (at 20%)

8.5.117 Whilst the costs to overnight visitors are likely to increase marginally in those areas that choose to implement a levy, there will be potential wider benefits to visitors depending on how local authorities will use the additional revenue raised to sustain and support the visitor economy locally. Investments of this nature could be used to improve Wales' tourism offer, helping to better manage and serve visitors and enhance the uniqueness of Wales as a destination, which might mitigate fully or in part the impact of any small price increases and bring longer term benefits.

8.5.118 There is evidence that visitors are increasingly placing value on paying additional taxes if it is demonstrated that funds are used to enhance local communities. In the recent consumer survey⁵⁹, commissioned by Welsh Government, a majority (58%) of respondents agreed that tourists should contribute towards the costs of maintaining and investing in the destinations they stay in. Very few (13%) of those surveyed disagreed with the concept of contributing towards costs. Use of public spaces and

⁵⁹ [PowerPoint Presentation \(gov.wales\)](#)

services are integral to the overall visitor experience. Investing and maintaining these can improve the reputation of a destination benefiting visitors, residents, and businesses.

Summary of costs in Option 2

8.5.119 Table 21 provides a summary of the cost associated with option 2. As previously noted, given the uncertainty about the number and size of visitor accommodation providers in Wales, estimates for the potential costs are necessarily presented in broad ranges. Aggregate costs are also based on all 22 local authorities consulting and implementing the levy, when in reality, this outcome is unlikely. It is recognised that the costs presented are therefore likely to over-estimate the actual cost. The figures presented should be interpreted with caution given the uncertainty surrounding the exact figures and influencing variables.

Table 21: Summary of costs in Option 2

£000s										
	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
	–	–	–	–	–	–	–	–	–	–
	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
WRA (Registration)	1,590 – 2,090	1,940 – 2,682	1,508 – 1,925	1,112 – 1,529	1,112 – 1,529	1,112 – 1,529	1,112 – 1,529	1,112 – 1,529	1,112 – 1,529	1,112 – 1,529
WRA (Visitor levy)	1,603 – 2,103	2,271 – 2,771	2,386 – 2,955	1,552 – 2,120	1,552 – 2,120	1,552 – 2,120	1,552 – 2,120	1,552 – 2,120	1,552 – 2,120	1,552 – 2,120
Welsh Government	94 – 154	0 – 50	20 – 70	20 – 70	20 – 70	20 – 70	20 – 70	20 – 70	20 – 70	20 – 70
Local Authorities	110 – 660	110 – 220	22 – 110	22 – 110	22 – 110	22 – 110	22 – 110	22 – 110	22 – 110	22 – 110
Visitor Accommodation Providers (Registration)	-	10 – 204	20 – 407	13 – 367	3 – 163	3 – 163	3 – 163	3 – 163	3 – 163	3 – 163
Visitor Accommodation Providers (Visitor levy)	-	5,120 – 37,871	1,760 – 28,771	1,760 – 28,771	1,760 – 28,771	1,760 – 28,771	1,760 – 28,771	1,760 – 28,771	1,760 – 28,771	1,760 – 28,771
Visitors	0	0	33,000	33,000	33,000	33,000	33,000	33,000	33,000	33,000
Total cost	3,397 – 5,007	9,451 – 43,798	38,716 – 67,238	37,479 – 65,967	37,469 – 65,763	37,469 – 65,763	37,469 – 65,763	37,469 – 65,763	37,469 – 65,763	37,469 – 65,763

8.6 Economic Impact

- 8.6.1 A further potential cost of the levy relates to the economic impact. The impact of a visitor levy on accommodation providers depends on a number of factors such as whether accommodation providers pass on the cost to visitors by increasing the price of accommodation and on the behavioural response of visitors to a change in accommodation prices.
- 8.6.2 The interactions between tax, spend, investment and growth are complex and a source of much research and debate. Through our engagement with stakeholders, a key concern highlighted was about the potential economic impact that a visitor levy could have in Wales. In response to this, we commissioned research⁶⁰ to explore the potential positive and negative economic impact should there be a rise or fall in tourism demand for areas that introduce a levy.
- 8.6.3 Generally, there is limited evidence to suggest that visitor levies lead to a fall in demand in and of themselves, although this depends on the absolute rate at which they are set. For example, most levies (elsewhere / in other countries) are small charges designed to increase the tax take whilst reducing any negative impacts on demand. These areas continue to experience high demand for tourism. However, it could be argued that tourism may have grown more if those levies had not been in place. The Balearic Islands is often cited as an example of a tourism tax which, when announced in 2001, had a negative impact on tourism demand⁶¹. Yet, the evidence supporting that claim is inconclusive, as there was a wider global slowdown of tourism between 2001- 2004⁶², indeed 2001 was the first year since 1982 where there was negative growth in demand, with Europe seeing a fall in demand of 0.7%.⁶³
- 8.6.4 Bangor University's *Review of Impacts of Visitor Levies in Global Destinations*⁶⁴, examines seven case studies of destinations around the world in which visitor levies are operated. In each of the destinations studied, tourism remained relatively stable, with moderate growth in these areas that use visitor levies.
- 8.6.5 In another recent article, academics from Bangor University observed that the link between visitor levies and visitor numbers is complex and often inconclusive. Several studies have reached different

⁶⁰ <https://www.gov.wales/the-potential-economic-and-greenhouse-gas-impacts-of-a-visitor-levy-in-wales>

⁶¹ [Elasticities relevant to tourism in Scotland: evidence review - gov.scot \(www.gov.scot\)](https://www.gov.scot/Topics/economy/tourism/elasticities-relevant-to-tourism-in-scotland-evidence-review)

⁶² [UNWTO Tourism Highlights, 2002 Edition \(e-unwto.org\)](https://www.unwto.org/tourism-highlights-2002-edition)

⁶³ *Ibid.*

⁶⁴ <https://www.gov.wales/review-impacts-visitor-levies-global-destinations>

conclusions, with some suggesting that tourism levies have hindered international tourism while others have shown that visitor numbers have consistently risen in popular tourism spots with a levy. However, the article notes that in the destinations studied, tourism taxes have been implemented successfully and there is little evidence of tourists being put off from visiting these areas⁶⁵.

8.6.6 To further understand the potential economic impact of a visitor levy in Wales, Professor Calvin Jones of Cardiff Business School was commissioned to set out estimates of the economic and greenhouse gas emissions (GHG) impact of the proposed visitor levy in Wales⁶⁶.

8.6.7 The estimates in the report have been derived by applying official data and results from an evidence review by Alma Economics to a long-established, extensively peer reviewed and updated Input-Output Model for Wales (IOMW).

8.6.8 To make the modelling workable, a number of key assumptions were made:

- the levy is implemented by all local authorities and thus there is no within-Wales visitor destination switching. (Whilst both are very unlikely in practice, this assumption means the estimates are cautious.)
- Levy rates are set at £1.25 and £0.75 for Band 1 and 2, respectively. VAT is then added.
- Businesses pass on 100% of levy costs to visitors.
- Other factors determining tourism demand are unchanged.
- Frictional or administrative costs that any new levy might engender. These costs are currently unknown, in terms of both their scale and nature.
- Revenue from the levy is spent by local authorities in Wales, net of VAT, such that half of the revenue is spent on maintaining or expanding current services, and half on infrastructure or capital developments.

8.6.9 One of the key assumptions was also on the response of visitors to the levy – the price elasticity of demand (PED). Given that there remains a high degree of uncertainty as to the PED for tourism in Wales, as we have no specific Welsh studies to draw on and there is very little research and estimates for PED at a UK wide level, the report presents three scenarios based on the results from the Alma Economics review of

⁶⁵ [Why you should expect to pay more tourist taxes – even though the evidence for them is unclear \(theconversation.com\)](https://theconversation.com/why-you-should-expect-to-pay-more-tourist-taxes-even-though-the-evidence-for-them-is-unclear)

⁶⁶ <https://www.gov.wales/the-potential-economic-and-greenhouse-gas-impacts-of-a-visitor-levy-in-wales>

elasticities relevant to a visitor levy in Wales⁶⁷, an optimistic, neutral and pessimistic scenario.

Table 23: The Estimated Whole Economy Net Annual Impact of Levy-Consequent Public Sector Expenditure

<i>All Direct + Indirect, £2023</i>	<i>Optimistic</i>	<i>Neutral</i>	<i>Pessimistic</i>
Output	£19.0m	£3.4m	-£12.9m
Disposable Income	£5.2m	£1.0m	-£3.3m
Gross Operating Surplus	£2.9m	-£0.1m	-£3.2m
Income & Self Employment Tax, Pensions	£2.9m	£1.5m	£0.1m
Taxes Less Subsidies on Production	-£0.2m	-£0.5m	-£0.9m
Gross Value Added	£10.8m	£1.9m	-£7.3m
<i>Approximate percent of Welsh Economy GVA</i>	<i>0.013%</i>	<i>0.002%</i>	<i>-0.009%</i>
Full-Time Equivalent Employment	100	-140	-390
<i>Approximate percent of Welsh Workforce</i>	<i>0.007%</i>	<i>-0.010%</i>	<i>-0.028%</i>

Source: Jones. C, *The Potential Economic & Greenhouse Gas Impacts of a Visitor Levy in Wales*, Table 7

8.6.10 As shown in Table 23, estimates for economic activity, measured by Gross Value Added (GVA) range from +£10.8m to -£7.3m of GVA per annum across the scenarios (in 2023 prices).

8.6.11 Estimates for the changes in employment range from a net gain of 100 FTE jobs in the optimistic scenario, to around 390 net FTE job losses in the pessimistic scenario.

8.6.12 These results are inevitably uncertain and are based on an overall net impact as there is a resultant increase in FTE's due to expenditure of visitor levy revenues that offsets losses. To model the impact on economic output and employment several assumptions (noted at 8.6.8) had to be made that may not be valid in reality. Factors such as the weather, what other destinations are doing, and the state of the economy will all impact on visitor behaviour. By example, in the Summer 2023 Tourism Barometer, the two main reasons cited by tourism businesses for bookings being down were due to the weather and people having less disposable income⁶⁸. Individual behavioural responses are by their

⁶⁷ [Evidence review of elasticities relevant to a visitor levy in Wales \(gov.wales\)](https://gov.wales/evidence-review-of-elasticities-relevant-to-a-visitor-levy-in-wales)

⁶⁸ [Wales Tourism Business Barometer 2023: Summer Wave Report \(gov.wales\)](https://gov.wales/wales-tourism-business-barometer-2023-summer-wave-report)

nature inherently unpredictable, and we can therefore only consider likely responses amongst the majority.

8.6.13 The key conclusions therefore that can be taken from this research is that based on evidence from other countries, a reasonable set of assumptions and what we know about the economy in Wales, the economic impact of the levy (the changes in output and employment) is likely to be small relative to the size of the economy in Wales and small relative to the size of the tourism sector in Wales.

9. Impact Assessments

- 9.1 Specific impact assessments have been undertaken, which cover the whole of the Bill. A summary of the impacts is included below. The full Integrated Impact Assessment (IIA) along with specific impact assessments will be published separately⁶⁹.

9.2 Children's Rights

- 9.2.1 The Rights of Children and Young Persons (Wales) Measure 2011 places a duty on the Welsh Ministers to pay due regard to the [United Nations Convention on the Rights of the Child \(UNCRC\) and its Optional Protocols](#) when exercising any of their functions.
- 9.2.2 The consultation document was available in a young person/ community version and an easy read version. In May 2022, policy officials held an event with Children in Wales, engaging with children and young people (CYP) between 12 and 17 years old, seeking their opinions on the visitor levy through discussions and a role-play exercise. Officials also engaged with 28 children and young people (CYP) at an in-person Children in Wales event in Llanwrtyd Wells. This provided a guided and interactive means for young people to find out more about the levy and express views on how they thought the levy might impact on them.
- 9.2.3 The outcome of our assessment on children's rights⁷⁰ demonstrates that there are no direct negative impacts arising from the levy. We anticipate a positive impact on children and young people from the generation of additional revenues, which local authorities can use to improve the local services and infrastructure in their area. Revenues could be used to improve a range of amenities that will be beneficial to both residents and visitors.
- 9.2.4 There could be potential for negative impacts on children and young people from lower socio-economic backgrounds due to the potential increase in costs for overnight stays. However, we did not identify any evidence that suggest a visitor levy would result in that negative impact materialising. The overall cost of the trip would determine the level of affordability and thus should a levy increase the overall cost then it may impact those from a lower socio-economic background more who choose to visit the destination which uses a levy. We recognise that

⁶⁹ <https://www.gov.wales/visitor-accommodation-register-and-levy-wales-bill-integrated-impact-assessment>

⁷⁰ <https://www.gov.wales/visitor-accommodation-register-and-levy-wales-bill-childrens-rights-impact-assessment>

visitors will factor in budget and affordability when deciding where to go on holiday and may choose to stay in other locations where the levy is not imposed or reduce the length of their stay to minimize the additional cost.

9.3 Equality

9.3.1 The Equalities Act 2010 places a General Equality Duty on Welsh Ministers to have ‘due regard’ to a range of requirements which relate to removing or minimising disadvantages for people with or who share protected characteristics and to remove barriers to participation.

9.3.2 The Equality Impact Assessment⁷¹ was conducted to consider the potential impacts of the legislation on people with protected characteristics as described in the Equality Act 2010.

9.3.3 Our consideration of the potential impacts of the Bill on people with protected characteristics identified that the provisions are unlikely to impact people with protected characteristics.

9.3.4 Our consideration of the impact on disabled people is one area where costs may be higher, as evidence suggests in some scenarios that disabled people may face higher costs for staying in visitor accommodation⁷². For disabled people, booking a holiday may lead to extra costs due to a lack of availability of accessible rooms, finding accessible and affordable accommodation and transport options, especially in rural and remote areas, and during peak seasons^{73,74}. However, all visitor accommodation providers are subject to the Equality Duty and must ensure their accommodation is accessible (unless there are reasons why this is not possible - i.e. listed building status).

9.3.5 We considered whether disabled persons requiring a carer for care and support to facilitate a visit, should be subject to the levy. Consequently, the Bill will provide for the WRA to issue refunds for a disabled person in receipt of a qualifying disability benefit who has paid a visitor levy whilst staying in visitor accommodation and when accompanied by a carer.

9.3.6 The compatibility of the Bill with the European Convention on Human Rights (ECHR) has been considered prior to the introduction of the

⁷¹ <https://www.gov.wales/visitor-accommodation-register-and-levy-wales-bill-equality-impact-assessment>

⁷² Cost of living for people with disabilities - House of Commons Library (parliament.uk)

⁷³ Locked out: liberating disabled people’s lives and rights in Wales beyond COVID-19 [HTML] | GOV.WALES

⁷⁴ Disability Price Tag 2023: the extra cost of disability | Disability charity Scope UK

legislation. That analysis has found that the Bill is unlikely to contain provisions that are incompatible with the ECHR.

9.4 Rural Proofing

9.4.1 Tourism can provide an important means of renewing traditional industries and can stimulate local economic development through creating services and job opportunities. For example, rural tourism benefits local communities by providing the farming and service sectors with a supplementary source of income.

9.4.2 A Rural Proofing Impact assessment⁷⁵ highlighted issues related to digital connectivity and the potential for the levy to impact greater on micro to small sized businesses. However, the levy is simple in design and the burden will likely be minimal as most small businesses will be filing and remitting the levy less frequently. Additionally, the revenue raised from the levy may off-set or positively impact rural communities.

9.5 Data

9.5.1 A Data Protection Impact Assessment⁷⁶ has been carried out as the Bill introduces new data collection and processing of personal and special category data. The Bill introduces a discretionary visitor levy that local authorities can choose whether to implement. The Bill also requires all visitor accommodation providers to be registered.

9.5.2 The registration powers will be a function of Welsh Ministers. The register will include personal details about the provider and the type of visitor accommodation, to support the WRA to collect and administer the visitor levy. Information derived from the register may be available to the public, for transparency of information for visitors. Operational delivery of the register will be subject to further screening of the impacts on data protection.

9.5.3 The visitor levy will be collected and managed centrally as a function of the Welsh Revenue Authority (the WRA) on behalf of local authorities. This will require aggregated data from levy payers on the number of visitors staying, to support compliance activities. Alongside this the WRA will have investigative powers into levy payers. Where necessary, for example, to prevent fraud, the WRA may need to process some special category data. The WRA will manage the visitor levy data

⁷⁵ <https://www.gov.wales/visitor-accommodation-register-and-levy-wales-bill-rural-proofing-impact-assessment>

⁷⁶ <https://www.gov.wales/visitor-accommodation-register-and-levy-wales-bill-data-protection-impact-assessment>

securely to safeguard levy payers' information as it does for its existing taxes. To ensure this, the WRA will complete its own Data Protection Impact Assessment.

9.6 Welsh Language

- 9.6.1 The Welsh Language Impact Assessment⁷⁷ concluded that there are no direct impacts of the legislation on the use of Welsh Language or on Welsh Language communities.
- 9.6.2 Current research relating to the impact of tourism on the Welsh language is sparse and empirical evidence is limited, with respondents to the consultation providing little or no factual evidence on this topic.
- 9.6.3 A visitor levy could have both positive and negative impacts on the Welsh language, depending on how it is designed, implemented, and applied. The revenue could be used to support Welsh language initiatives and enhancing cultural and heritage activities which can create favourable conditions for the Welsh language to thrive. The levy revenue will be broadly hypothecated for the purposes of 'Destination Management and improvement'.
- 9.6.4 A negative impact on the Welsh language could occur if the levy or tax discourages visitors from coming to Wales, especially those who are interested in the Welsh language and culture, or if it reduces the competitiveness and profitability of the tourism sector, which employs Welsh-speakers in a particular area. This could reduce the demand and supply of Welsh language services and products, as well as the income and economic opportunities for Welsh-speakers. However, as the visitor levy would be a discretionary tax, exact impacts would depend on which areas use a levy and what, if any behavioural changes occur from the use of a levy.

9.7 Biodiversity

- 9.7.1 Consideration of the impact of the duty on biodiversity, climate change and natural resources considered that while the introduction of a visitor levy itself is not intended to directly impact the environment, there may be secondary impacts from its introduction, should there be a rise or fall in tourism demand for areas that introduce a levy.

⁷⁷ <https://www.gov.wales/visitor-accommodation-register-and-levy-wales-bill-welsh-language-impact-assessment>

9.8 The Socio-economic Duty

9.8.1 A Socio-Economic Impact Assessment⁷⁸ was developed to identify the estimated impact on the needs of the people who live, work, socialise and do business in Wales. There is evidence to suggest that a person's willingness to pay a visitor levy in other countries is positively correlated to their socio-economic status, inferring disadvantaged persons are more likely to be deterred from visiting Wales or a local authority that adopts a levy in their area. It may be that those at ages typically associated with lower incomes (for instance, younger people), are less able to afford the extra cost of accommodation associated with the levy.

9.8.2 To reduce this identified risk of the levy being a barrier to socio-economically disadvantaged persons not being able to go on holiday in Wales, the Welsh Ministers may review the policy and rates to consider it is meeting objectives and remains fair.

9.9 Justice Impact Assessment

9.9.1 The Justice Impact Assessment summarises the outcome of engagement with the Ministry of Justice. The register of visitor accommodation will be a function of Welsh Ministers to be administered centrally. We have also opted for a centrally administered model of delivery for the visitor levy and intend for the Welsh Revenue Authority to deliver the levy as they collect and manage the devolved taxes in Wales. The assessment concluded that the proposals are likely to have nil to minimal impact on the justice system.

⁷⁸ <https://www.gov.wales/visitor-accommodation-register-and-levy-wales-bill-socio-economic-duty-assessment>

9.10 Competition Assessment

9.10.1 As the proposed legislation provides permissive powers for local authorities, it is not possible to undertake a comprehensive competition assessment. This is because it is not known which local authorities may use a visitor levy. We will be advising local authorities to consider whether a competition assessment needs to be undertaken as part of their decision-making process for using a visitor levy.

9.10.2 A competition filter test has been completed for the legislation, this is presented below:

The competition filter test	
Question	Answer yes or no
Q1: In the market(s) affected by the new regulation, does any firm have more than 10% market share?	No
Q2: In the market(s) affected by the new regulation, does any firm have more than 20% market share?	No
Q3: In the market(s) affected by the new regulation, do the largest three firms together have at least 50% market share?	No
Q4: Would the costs of the regulation affect some firms substantially more than others?	No
Q5: Is the regulation likely to affect the market structure, changing the number or size of firms?	No
Q6: Would the regulation lead to higher set-up costs for new or potential suppliers that existing suppliers do not have to meet?	No
Q7: Would the regulation lead to higher ongoing costs for new or potential suppliers that existing suppliers do not have to meet?	No
Q8: Is the sector characterised by rapid technological change?	No
Q9: Would the regulation restrict the ability of suppliers to choose the price, quality, range or location of their products?	No

10. Post implementation review

- 10.1 As the visitor levy is discretionary, a formal post implementation review will be difficult to commit to as it may take several years for local authorities to decide if they wish to adopt a levy in their area, following consultation with their communities. Should a local authority decide to adopt a levy, they will be required to notify their businesses and communities of the decision and give the due notice period (i.e. 12 months). Therefore, the schemes effectiveness shall be monitored and assessed over time and how this will be done will likely evolve as the scheme progresses and evidence emerges.
- 10.2 Information about the performance of the levy and use of revenues will be available from local authorities on an annual basis. The Bill sets out a requirement for local authorities to prepare and publish annually, a report on the amount of revenue generated from the levy and information on how the levy has been used towards sustainable destination management purposes. Officials will develop guidance for local authorities setting out advice and best practice for monitoring and evaluating the impact of the levy.
- 10.3 The outcome of the legislation will also be monitored on an ongoing basis, with a combination of methods, including monitoring the Welsh economy and supply/demand indicators. Use of existing data gathered from the relevant Visit Wales surveys, Tourism Barometer and additional engagement with local authorities and the tourism sector to understand the effectiveness of the legislation.
- 10.4 It is anticipated that the Welsh Revenue Authority will continually monitor and review the effectiveness of the register and levy administration through regular engagement with local authorities and tourism businesses. Alongside this, they will consider what data to report on, such as the amount of revenues collected.
- 10.6 The Bill contains powers (amongst others – see pages 25 - 45 for the full list of regulation making powers) to enable Welsh Ministers to make regulations to:
- to revise the visitor levy rates that are set in legislation.
 - Add, remove or change descriptions of circumstances in which an overnight stay in visitor accommodation does or does not take place.
 - Amend which stays are subject to which rate i.e. lower, higher or nil rate.

- to add to the list of scenarios in which a refund to visitors for the visitor levy may apply should any negative impacts or issues that have not previously been identified arise.

10.7 It is intended that this approach will provide flexibility to adapt the legislation in the future following continued engagement and evidence gathering.

11.Affordability Assessment

- 11.1 While the regulatory impact assessment assesses social value and includes cultural, social and environmental impacts alongside economic costs and benefits, this affordability assessment is a purely financial assessment. As such, only cash costs and cash-releasing benefits are included. Any environmental, social, cultural and wider economic costs and benefits identified in the Bill regulatory impact assessment have been removed from this affordability assessment. Opportunity costs have also been removed.
- 11.2 The affordability assessment considers the same time period as the regulatory impact assessment, 2025-26 to 2034-35 and has been conducted by Welsh Government to determine whether the Bill is affordable for the organisation.
- 11.3 The cash costs and cash-releasing benefits in this assessment have been adjusted to reflect anticipated inflation during the appraisal period. This adjustment has been made on the basis of the GDP deflator projections included in the Office for Budget Responsibility (OBR) Economic and Fiscal Outlook which was published in March 2024⁷⁹. The OBR's projections extended only to 2028-29. Since the forecasts flatten out at around 1.9% towards the end of the OBR's forecast period, this rate has been assumed to hold for the remainder of our appraisal period. Although inflation is now relatively stable, there remains a degree of uncertainty as to its future path. The Welsh Government will continue to monitor the impact of inflation on the financial costs of the Bill.
- 11.4 It should be noted that while costs have been allocated to individual organisations and delivery partners, the Welsh Government will be responsible for funding any additional budget requirements, especially in regard to the Welsh Revenue Authority's role in collecting and managing the visitor levy on behalf of those local authorities who opt-in, in addition to local authority funding to support any communications efforts.

Welsh Revenue Authority

- 11.5 There will be costs associated for both development and administration of the registration service and the visitor levy. Development or 'set-up'

⁷⁹ [Economic and fiscal outlook – March 2024 - Office for Budget Responsibility \(obr.uk\)](https://obr.uk/economic-fiscal-outlook-march-2024/)

costs will be financed through the normal annual budget processes within Welsh Government. This includes the development and building of any digital services, the resourcing of new teams, and the processes involved to create a system for registration of visitor accommodation providers and the collection and management of a new tax.

- 11.6 The intention of the Bill is that a visitor levy will raise additional revenue for those local authorities who chose to implement it. Therefore, it is intended that any ongoing operational costs will be recovered from levy receipts collected by the WRA before remittance to local authorities. As a result, there will be no ongoing net cost to Welsh Government budgets.
- 11.7 There is a risk that it may not be possible to recover sufficient levy receipts to cover the costs of administration if not enough local authorities opt to use a levy, or if revenues are lower than WRA operating costs. If this scenario did arise, Welsh Government would need to cover the remaining administration costs as set out in our responsibility under TCMA for the funding of WRA's functions.

Table 24: Estimated WRA costs

£000s										
	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
	–	–	–	–	–	–	–	–	–	–
	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Total cost	3,193	4,211	3,894	2,664	2,664	2,664	2,664	2,664	2,664	2,664
	–	–	–	–	–	–	–	–	–	–
	4,193	5,453	4,880	3,649	3,649	3,649	3,649	3,649	3,649	3,649
Total adjusted for inflation	3,262	4,377	4,124	2,875	2,930	2,986	3,042	3,100	3,159	3,129
	–	–	–	–	–	–	–	–	–	–
	4,284	5,688	5,167	3,939	4,013	4,090	4,167	4,247	4,327	4,410

Welsh Government

- 11.8 The transitional costs for Welsh Government to undertake communications and marketing and a post implementation evaluation will be met from existing budget allocations.

Table 25: Estimated Welsh Government costs

£000s										
	2025 – 2026	2026 – 2027	2027 – 2028	2028 – 2029	2029 – 2030	2030 – 2031	2031 – 2032	2032 – 2033	2033 – 2034	2034 – 2035
Total cost	70 - 130	0 - 50	20 - 70	20 - 70	20 - 70	20 - 70	20 - 70	20 - 70	20 - 70	20 - 70
Total adjusted for inflation	72 - 133	0 - 52	21 - 74	22 - 76	22 - 77	22 - 78	23 - 80	23 - 81	24 - 83	24 - 85

Local Authorities

11.9 Based on a range of estimated costs provided by local authorities, the cost per local authority of consulting on a levy is estimated to be between £5,000 and £30,000, with a further one-off cost of between £5,000 and £10,000 for reporting on the outcome of the consultation. Annual reporting costs are estimated to be between £1,000 and £5,000 for each local authority which implements the levy.

11.10 At this stage, it is unclear how many, and which local authorities will consult on and implement the levy. For the purpose of presenting a total cost estimate, if all 22 local authorities were to consult on and implement the levy, upfront costs would be between £220,000 and £880,000 with annual ongoing costs of between £22,000 and £110,000. It is recognised this is likely to over-estimate the actual total cost.

Table 26: Estimated Local Authority costs

£000s										
	2025 – 2026	2026 – 2027	2027 – 2028	2028 – 2029	2029 – 2030	2030 – 2031	2031 – 2032	2032 – 2033	2033 – 2034	2034 – 2035
Total cost	110 - 660	110 - 220	22 - 110	22 - 110	22 - 110	22 - 110	22 - 110	22 - 110	22 - 110	22 - 110
Total adjusted for inflation	112 - 674	114 - 229	23 - 116	24 - 119	24 - 121	25 - 123	25 - 126	26 - 128	26 - 130	27 - 133

11.11 The financial benefits of the Bill have also been assessed and the net cost, after benefits have been taken into account, is included to provide a full picture of the final budget requirements.

ANNEX 1

EXPLANATORY NOTES

VISITOR ACCOMMODATION (REGISTER AND LEVY) ETC. (WALES) BILL

EXPLANATORY NOTES

INTRODUCTION

These Explanatory Notes are for the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill which was introduced into Senedd Cymru on 25 November 2024. They have been prepared by the Welsh Treasury of the Welsh Government to assist the reader of the Bill. The Explanatory Notes should be read in conjunction with the Bill but are not part of it.

SUMMARY AND BACKGROUND

This Bill makes provision for Welsh Ministers to establish a register of persons who provide visitor accommodation at premises in Wales; to grant principal councils the power to introduce a levy on overnight stays in visitor accommodation in their areas; for the Welsh Revenue Authority (WRA) to collect and manage a visitor levy on behalf of principal councils using their relevant powers, rights and duties afforded in their governing legislation, the Tax Collection and Management (Wales) Act 2016 (the 2016 Act) and to make miscellaneous amendments to the 2016 Act.

The Bill comprises 45 sections and 1 Schedule and is divided into four Parts as follows:

Part 1 - Overview of Act and Key Terms Used in Act

Part 2 - Register of Visitor Accommodation Providers

Part 3 - Visitor Levy

Part 4 - Miscellaneous and General Provision

Schedule 1 - Amendments to the Tax Collection and Management (Wales) Act 2016.

COMMENTARY ON SECTIONS

Part 1 - Overview of Act And Key Terms Used In Act

Section 1 - Overview of this Act

1. The overview of the Bill shows how the Parts of the Bill are arranged and provides a brief description of what each Part does.

Section 2 - Visitor accommodation

2. The section defines “visitor accommodation” for both the register of visitor accommodation and the visitor levy. It details what is visitor accommodation, along with the exceptions. It also contains a regulation making power for the Welsh Ministers to amend the list of visitor accommodation.

3. Types of visitor accommodation

Visitor accommodation includes:

- (i) hotels, guesthouses, bed and breakfasts, or other similar accommodation;
 - (ii) youth hostels, bunkhouses, or other similar accommodation;
 - (iii) a pitch or area for camping, or for a mobile home that is not situated permanently or semi permanently on a site or in one place;
 - (iv) accommodation at campsites, caravan sites; holiday parks, holiday resorts or at other similar places;
 - (v) mobile homes or vessels or other vehicles permanently or semi permanently situated in one place and made available on a short term basis for business or leisure travel or educational trips;
 - (vi) self-catering accommodation made available on a short term basis for business, leisure, or educational trips;
 - (vii) any other kind of accommodation made available on a short term basis for business, leisure, or educational trips.
4. Accommodation listed in subsection (1)(e) to (g) of this section is only visitor accommodation for the purposes of the Bill if it is made available on a short-term basis i.e. for stays of 31 nights or less.
 5. The section excludes certain types of accommodation from being considered visitor accommodation. Accommodation is not visitor accommodation if it is on Gypsy and Traveller sites or in mobile homes or vessels that are not permanently or semi permanently situated in one place. “Gypsy and Traveller site” and “mobile home” are terms that are defined in the section.

These notes refer to Visitor Accommodation (Register and Levy) Etc. (Wales) Bill which was introduced into Senedd Cymru on 25 November 2024

6. The Welsh Ministers have the power to amend through regulations the types or descriptions of types of accommodation classified as visitor accommodation.

Section 3 – Visitor accommodation provider

7. This section states that for the purposes of this Bill a person is a visitor accommodation provider if in the course of a trade or business, they provide or offer to provide visitor accommodation at premises in Wales that allows one or more people to stay at the accommodation for at least one night, and that they are an occupier of the premises. This does not include contracts of service, contracts of apprenticeship, or contracts where the resident provides services to the accommodation provider.
8. The section also states that “person” in this section includes two or more persons acting in partnership (as well as two or more persons acting as an unincorporated body, or a body corporate).

Part 2 - Register Of Visitor Accommodation Providers

Section 4 – Duty to maintain a register of visitor accommodation providers

9. The section provides that the Welsh Ministers are required to keep a register of visitor accommodation providers.
10. The register must contain: the name of the visitor accommodation provider; any trading name used by the visitor accommodation provider; the proper address of the visitor accommodation provider; a statement as to whether the visitor accommodation provider is an individual, a partnership, a body corporate or an unincorporated body; the name, address and principal council area of the premises at which that visitor accommodation is provided; and the type of accommodation that is provided. The proper address is defined as either the address of the registered or principal office of the partnership or body, or the last known address of a person.
11. The Welsh Ministers are provided with a regulation making power enabling them to add, vary or remove a description of the information that is required in the register.

Section 5 – Duty of visitor accommodation providers to be registered

12. This section states that visitor accommodation providers as defined in section 3 must be registered on the register kept by the Welsh Ministers in respect of each premises in Wales at which the visitor accommodation provider provides or offers to provide visitor accommodation.
13. The section also gives the Welsh Ministers the power to make regulations to exempt certain descriptions of visitor accommodation provider by reference to the type of visitor accommodation provided, the nature or content of the contracts under which the accommodation is provided, the nature, status or any particular characteristic of the visitor accommodation provider, the nature, status or any

These notes refer to Visitor Accommodation (Register and Levy) Etc. (Wales) Bill which was introduced into Senedd Cymru on 25 November 2024

particular characteristic of the people to whom the visitor accommodation provider provides accommodation or any other reason that would be appropriate, or to amend the Act.

Section 6 – Publication of information in the register

14. This section allows the Welsh Ministers to publish, in such manner as they consider appropriate, any information derived from the register of visitor accommodation providers. This includes, but is not limited to, names and addresses of visitor accommodation premises in Wales, the type of accommodation provided, and details of registered persons if they are registered as a visitor accommodation provider.

Section 7 – Registration: powers to make supplementary etc. provision

15. This section states that the Welsh Ministers have the power to make regulations regarding the register and registration requirements, including provisions for partnerships and unincorporated bodies, the registration procedure (including variation and cancellation of registration), data sharing, enforcement measures, including offences for non-compliance and either or both of reviews and appeals.

Part 3 – Visitor Levy

Section 8 – Power of principal council to introduce levy on overnight stays in visitor accommodation

16. This section sets out that a principal council may charge a “visitor levy” (“the levy”) on overnight stays in visitor accommodation located within their area. The levy is to be collected and managed by the Welsh Revenue Authority (“the WRA”) on behalf of a principal council. The WRA must collect and manage the levy in accordance with this Act and the Tax Collection and Management (Wales) Bill 2016.

Section 9 – Overnight stays in visitor accommodation

17. This section defines what is an overnight stay in visitor accommodation. An overnight stay in visitor accommodation occurs when individuals reside for one or more nights under a contract, the accommodation is provided in the course of a trade or business, and it is not their main residence.

18. Exceptions include stays longer than 31 nights and accommodation arranged under the specific legislation listed related to immigration, asylum, bail, probation, or immigration bail conditions. The section also gives a power to the Welsh Ministers, by regulations, to amend the descriptions of circumstances in which an overnight stay in visitor accommodation does or does not occur.

Section 10 – Liability to pay the levy

19. This section sets out that the person who is liable to pay the levy is the visitor accommodation provider. The point at which the liability to pay the levy arises is when a person commences their stay at the accommodation.

Section 11 – Calculating the amount of the levy that is payable

20. This section sets out the method for calculating the amount of levy that is chargeable in respect of a stay. The amount of levy is calculated by firstly establishing the number of persons entitled to stay and multiplying that number by the total number of nights they are entitled to stay. That number is then multiplied by the appropriate rate. The three appropriate rates are set out in section 12 (the lower, higher and nil rates).

Section 12 – Rates of the levy

21. This section sets out the three rates of the levy; the lower rate is £0.75, the higher rate is £1.25 and the nil rate. The section also draws attention to the possibility that a principal council may also introduce a premium rate (outlined in section 14).

22. The Welsh Ministers may amend the lower, higher or both rates by regulations.

Section 13 – Determining which rate applies

23. This section defines which types of visitor accommodation are subject to the lower, higher or nil rates of the levy. The lower rate applies to stays in hostels and in tents on campsites. The higher rate applies to all other types of visitor accommodation unless the nil rate applies (subsection (2)).

24. Subsection (3) sets out the only nil rate overnight stay – a stay that is provided or arranged by a local housing authority within visitor accommodation for those who are homeless.

25. The Welsh Ministers may, by regulations make provisions to; add new types, or amend or remove existing types of visitor accommodation to which the each rate applies; set out evidence requirements that must be met before a provider can apply the nil rate or the lower rate; and make arrangements for and relating to the issuing of vouchers for the purpose of proving that the nil rate applies to a particular overnight stay in visitor accommodation.

Section 14 – Adding a premium to the levy rate

26. This section outlines that a principal council may add an additional levy amount (a premium) to the lower and/or the higher rate of the levy that will apply in its area.

27. The Welsh Ministers may specify, by regulations, the maximum amount of the premium for the lower and/or higher rates.

Section 15 – Application for repayment of amount equivalent to the levy

28. This section outlines the process for applying for a repayment of an amount equivalent to the levy payable for an overnight stay in visitor accommodation - in effect a 'refund' of the amount.

29. The section states that a person may apply to the WRA for repayment if they provided consideration for an overnight stay in visitor accommodation that is within one of the three categories below:
- (i) the person stayed in the accommodation because they were unable to reside in their sole or main residence due to a risk to their health, safety, or welfare,
 - (ii) the accommodation was provided to a person who was homeless at the time of the stay within the meaning of section 55 of the Housing (Wales) Act 2014, or
 - (iii) the person who stayed overnight was receiving a disability benefit (defined in section 15(5)) and was accompanied on the overnight stay by another person.
30. The application for a repayment of an amount equivalent to the levy must be made within 30 days of the last day the person was entitled to stay in the accommodation. Where more than one person provided consideration for the stay, they may jointly make an application.
31. If the application is granted, the WRA will repay an amount equivalent to the levy payable for the stay. The repayment amount may vary depending on the number of people who stayed and the number of nights. The WRA also must pay an amount they consider should be paid if the whole application for every person and/or every night of the stay is not appropriate.
32. Subsection (5) provides a list of benefits, the receipt of which entitles a claim to be made for refund of the levy per subsection (1)(c) namely that a person who stayed overnight in the visitor accommodation under the contract was in receipt of a disability benefit, and accompanied on the overnight stay by another person, whether or not that person stayed in or at the accommodation under a different contract.
33. The Welsh Ministers may amend the section to add, remove, or change descriptions of circumstances for making an application or to amend the definition of "disability benefit".

Section 16 – Duty to make levy return in respect of accounting period

34. A visitor accommodation provider must make a return to the WRA for each accounting period they are operating a visitor accommodation business whether or not any overnight stays have taken place.
35. The return must contain an assessment of the amount of levy payable for the accounting period and also either a declaration by the provider that the information in the return is correct or for the provider's agent to certify that the provider has made such a declaration to that effect.

36. A return must be made by the visitor accommodation provider and sent to the WRA on or before the filing date for the return. The filing date depends upon whether the visitor accommodation provider is obliged to send in annual or quarterly returns. For an annual return the filing date is 30 April in the financial year following the financial year to which the return relates. A financial year is one that covers the period 1 April one year to 31 March the following year. For a visitor accommodation provider obliged or who has opted to send in quarterly returns the filing date is the last day of the month following the end of the accounting period.

Section 17 – Annual or quarterly return

37. This section states that visitor accommodation providers may choose to make annual or quarterly returns for a financial year if their expected levy liability does not exceed £1,000. If a provider's levy liability is expected to exceed £1,000, or exceeded £1,000 in the previous year, they must make quarterly returns.
38. The Welsh Ministers have the power by regulations to amend the annual or quarterly filing amount threshold and specify the information a visitor accommodation provider must provide to the WRA if they wish to make annual returns.
39. A change from annual to quarterly return obligations, or quarterly to annual return obligations, may take effect only at the start of a financial year. However, if a provider has penalty points, the provider may not change the frequency with which they make returns.

Section 18 – Meaning of “accounting period”: annual returns

40. This section defines the accounting period for annual returns and provides a general rule and two separate rules that deal with specific circumstances (noting that the levy can either be introduced on 1 April of a year or 1 October per section 26).
41. The general rule provides that the accounting period is the financial year, beginning on the date a visitor accommodation provider commences leviable operations.
42. “Commences leviable operations” includes:
- (i) the date a visitor accommodation provider provides or offers to provide visitor accommodation in an area where the levy has been introduced (whether or not that person provided visitor accommodation in that area, or elsewhere, before that date), or
 - (ii) where that person previously provided or offered to provide visitor accommodation in an area where the levy has been

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introduced and then ceased to do so, on the date that person recommences providing or offering to provide visitor accommodation in an area where the levy has been introduced.

Section 19 – Meaning of “accounting period”: quarterly returns

43. This section defines the accounting period for visitor accommodation providers making quarterly returns.
44. If a provider commences leviable operations after the levy is introduced, the first accounting period begins on the start date of operations and ends with the end of the calendar quarter during which the accounting period began.
45. If the provider is already operating when the levy is introduced, the period starts from the levy introduction date and ends at the next calendar quarter date.
46. Subsequent accounting periods are each calendar quarter in which the provider carries out leviable operations. A calendar quarter is defined as a period ending with March 31, June 30, September 30, or December 31.

Section 20 – Payment of the levy

47. The section details the rules for payment of the visitor levy to the WRA by visitor accommodation providers. Visitor accommodation providers must pay the levy amount specified in their return by the filing date. The section also directs to additional provisions in the Tax Collection and Management (Wales) Act 2016 (the 2016 Act) that address levy payments required to be made by visitor accommodation providers in other situations, such as corrections to a tax return, amendments made to a tax return during or after the completion of an enquiry, WRA determinations and assessments.

Section 21 – Collection and management of the levy by WRA

48. This section introduces Schedule 1 to the Act which contains amendments to the 2016 Act in relation to the levy and also a number of other miscellaneous amendments to that Act.

Section 22 – Principal council account for proceeds of the levy

49. This section requires a principal council that has introduced a visitor levy to have a separate account for the proceeds of that levy. The section also provides a definition of the “proceeds of the levy”.

Section 23 – Use of proceeds of the levy for destination management and improvement

50. This section requires the principal council to use the revenues generated by the levy for the purposes of destination management and improvement in its area. Subsection (2) provides a non-exhaustive list of the types of spending by the principal council that will meet the requirement for spending on destination management and improvement. Such spending will include mitigating the impact of visitors, promoting the Welsh language, supporting the sustainable economic

growth of tourism and travel, and providing and improving infrastructure, facilities and services for visitors (even if not exclusively used by visitors).

Section 24 – Report on use of proceeds of the levy

51. This section places a responsibility on a principal council to publish a report on the proceeds of the levy for each financial year the levy has effect in its area. The report must include information about the amount of levy collected and the proceeds of the levy (that is the net revenues the principal council receives after the costs of collection are deducted). The report must also set out how the proceeds have been or will be spent on destination management and improvement.
52. The report must be published on the council's website as soon as possible after 30 June of the financial year following the financial year to which the report relates. The report must be published no later than the end of the financial year following the financial year to which the report relates.
53. The Welsh Ministers may amend this section by regulations to set out requirements for the principal council's reports, and to change the number of reports that must be published for a financial year, the frequency of publication and the date by which they must be published.

Section 25 – Consultation before introducing, changing or abolishing the levy

54. This section provides the steps a principal council must take before it introduces, changes or abolishes the levy, or any premium, within its area.
55. The principal council must notify the WRA of its intentions in respect of the levy and publish a report that sets out the proposal and includes certain information listed in the section.
56. Where the principal council intends to introduce the levy it must publish a report including, an estimate of the proceeds of the levy to be raised in that area in a financial year and an estimate of the costs the principal council will incur. Where a principal council proposes to change the levy, it must publish a report including an estimate of the proceeds of the levy in respect of the first full financial year after the levy is changed. Where the principal council intends to abolish the levy in its area it must provide an estimate of the impact on its revenues as a consequence of the abolition. The principal council must send its report to the WRA and consult any mandatory consultees, or other appropriate persons, on its report and proposals in respect of the levy.
57. At subsection (4) this section outlines that the mandatory consultees includes: local people, town and community councils, public services board for the principal council's area, principal councils for a contiguous area, relevant national parks authorities, corporate joint committees which the principal council is a member of, and organisations that represent businesses that work in tourism, or are engaged

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in activities related to tourism or that promote tourism in the principal council's area.

58. The principal council must, following the consultation, consider its proposal having regard to the responses received. The principal council must then notify the WRA of its intention whether to proceed with its proposals in relation to the levy, publish a final report and send that report to the WRA.
59. The final report must set out the principal council intentions in relation to its proposals, and where it is to proceed with the proposal, the details of that proposal (including highlighting of any changes in the proposal from that which was consulted on). The final report must also include a summary of the representations received during the consultation.
60. Definitions are provided to help identify the mandatory consultees.

Section 26 – Introduction of the levy and changes to or abolition of the levy

61. The section outlines the process for introducing, changing, or abolishing the visitor levy by a principal council.
62. The council must publish a notice detailing: which of the steps is to be taken; the levy rates unless the levy is to be abolished; the effective date when a levy will either come into force, cease to have effect or change in the area; and any other relevant information.
63. The effective date for the levy must be at least 12 months after the notice is published, or a shorter period if agreed upon by the council and WRA, and must be either 1 April or 1 October.
64. Changes to the levy must be published at least 6 months in advance and must take effect on either the 1 April or 1 October.
65. The introduction, abolition, or change to the levy takes effect on the date specified in the notice and the notice must be published on the council's website and in any other manner deemed appropriate by the council.

Section 27 – Overnight stays that are unaffected by the introduction of, or changes to, the levy

66. The section outlines the effect of the introduction of or change to the levy on existing overnight stays.
67. The levy does not apply if the relevant contract for the overnight stay was made before the principal council decided to introduce the levy.
68. If there is a change to the levy, it does not apply to an overnight stay if the relevant contract was made before the principal council decided to change the levy.

69. The “relevant contract” refers to the contract under which one or more persons are entitled to reside in the accommodation and to which the visitor accommodation provider is a party.
70. The date a principal council decides to introduce, change or abolish the levy is the date it publishes a notice under section 26(2).

Section 28 – Interpretation of Chapter

71. This section provides definitions and interpretations for terms used in the Chapter including “local people”, “proceeds of the levy”, and where references to changing the levy is defined.

Section 29 – Meaning of “relevant business” in this Chapter

72. The section provides a definition of “relevant business” for the Chapter which is to mean a business, or a part of a business, in the course of which a person provides, or offers to provide, visitor accommodation at a premises in Wales and is an occupier of the premises at which the visitor accommodation is provided.

Section 30 – Duties and liabilities of partnerships and unincorporated bodies

73. This section outlines the responsibilities and liabilities of partners and managing members of unincorporated bodies in relation to the levy.
74. The Bill requires that anything required or permitted to be done under an enactment relating to the levy by persons carrying on business in partnership must be done by every partner at the time it is done or required to be done. However, anything required or permitted to be done by every partner may instead be done by any of them.
75. Anything required or permitted to be done under an enactment relating to the levy by persons carrying on business as an unincorporated body must be done by every managing member of the body at the time it is done or required to be done. However, anything required or permitted to be done by every managing member may instead be done by any of them.
76. The managing members of an unincorporated body include each member holding office as president, chair, treasurer, secretary, or any similar office. If there is no such office, each member holding office as a member of a committee by which the affairs of the body are managed are the managing members of an unincorporated body.
77. A liability to pay a relevant amount as a result of anything done or omitted to be done by persons carrying on business in partnership or as an unincorporated body is a joint and several liability of every person who is a member of the partnership or body at the time when the thing is done or omitted to be done.

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78. If a person is a member of the partnership or body for only part of an accounting period, their personal liability for levy chargeable in respect of the accounting period is the proportion of the liability relating to the business of the partnership or body that is just and reasonable in the circumstances.
79. The term "relevant amount" is defined in the section as an amount of levy, a penalty under an enactment relating to the levy, and interest on such amounts.

Section 31 - Power to make further provision about partnerships and unincorporated bodies

80. This section gives the Welsh Ministers the power to make regulations to add, repeal or revoke or otherwise amend any provision made by a piece of legislation relating to the levy about cases where persons carry on business in partnership or as an unincorporated body.

Section 32 - Death, incapacity and insolvency

81. This section outlines the process and requirements for a person ("A") who carries on the relevant business of another person ("B") who has died, become incapacitated, or become subject to an insolvency procedure.
82. A must notify the WRA that they are carrying on the relevant business and provide details of the nature and date of the event that led to this situation. The notice must be given within 30 days of the day on which A began to carry on the relevant business.
83. The WRA may treat A as if they were B for the purposes of the levy, effective from the time A began to carry on the relevant business, regardless of whether A has given notice. WRA must issue a notice to A (and, if appropriate, to B) of the decision to treat A as B.
84. If B ceases to be incapacitated or subject to an insolvency procedure, or if A ceases to carry on the relevant business of B, A must notify WRA of the cessation and the date it occurred. The notice must be given within 30 days of the cessation.
85. The WRA must cease to treat A as B if it is satisfied that either of the conditions in subsection (6) is met, regardless of whether A has given notice. The WRA must issue a notice to A (and, if appropriate, to B) of the decision to cease to treat A as B.
86. A person becomes subject to an insolvency procedure if they are made bankrupt, a company voluntary arrangement takes effect, they enter administration, go into

liquidation or receivership, or any corresponding event occurs under the law of Scotland, Northern Ireland, or a country outside the UK.

Section 33 - Power to make further provision about death, incapacity and insolvency

87. This section provides that the Welsh Ministers may by regulations add to, repeal, or revoke or amend any provision made by a piece of legislation relating to the levy surrounding death, incapacity and insolvency.

88. Regulations may address circumstances in which a person becomes or ceases to be incapacitated or subject to an insolvency procedure. They may also cover duties, liabilities, and entitlements relating to the levy where a person has died, become incapacitated, or become subject to an insolvency procedure.

89. The regulations may apply whether or not anyone else carries on a person's relevant business after the person dies, becomes incapacitated, or becomes subject to an insolvency procedure.

90. The regulations may also include penalties for failures to comply with the regulations or with requirements imposed on persons other than the WRA. They may also provide for reviews and appeals.

Section 34 - Power to make provision about transfers of businesses as going concerns

91. This section provides that the Welsh Ministers may by regulations ensure legislation continues to apply when a relevant business is transferred from one person to another as a going concern.

92. The regulations may make provision:

- (i) that the WRA be notified of the transfer of the business;
- (ii) that any liability or duty of the transferor relating to the levy may become a liability or duty of the transferee;
- (iii) that any entitlement of the transferor to the discharge or repayment of an amount of levy whether arising before or after the transfer, may become an entitlement of the transferee;
- (iv) that anything done before the transfer by or in relation to the transferor may be treated for the purposes of the levy as having been done by or in relation to the transferee;
- (v) about duties to keep and preserve records.

93. The regulations may also introduce penalties for failures to comply with the regulations and they may also provide for either or both reviews and appeals.

94. The regulations may also amend or apply (with or without modifications) any enactment relating to the levy.

Section 35 – Visitor accommodation at premises within the area of more than one principal council

95. This section states that if the premises where visitor accommodation is provided are not entirely within the area of one principal council, for the purposes of the levy the premises are to be treated as being in the area where the greater or greatest part of the premises is situated.

Section 36 - Arrangements with third party to collect the levy etc. on behalf of provider

96. This section outlines the responsibilities of a visitor accommodation provider in relation to the levy if they make arrangements for one or more persons to collect and pay the levy to the WRA or make visitor levy returns on their behalf, for example online travel agents or accountants.

97. The section confirms that arrangements can be made for a third party to collect sums, file visitor levy returns and issue repayments in the circumstances in section 36 but that the arrangement does not affect the visitor accommodation provider's obligations under the Act or the 2016 Act.

Section 37 - Welsh Ministers' power to impose advertising and billing etc. requirements

98. This section provides the Welsh Ministers with a regulation making power to impose requirements relating to information about the amount of the levy on visitor accommodation providers that provide or offer to provide visitor accommodation in relation to the invoicing of the visitors' stay and how and when the provider is required to inform visitors of the levy's existence, nature and amount.

99. The regulations may include specific requirements, for example that when the amount payable for an overnight stay is provided it also includes, the amount of levy payable for the stay, that promotional, marketing and other relevant material includes details of the amount of the levy payable, and that information relating to the levy payable must be displayed at the accommodation.

100. The Welsh Ministers by regulations may also impose civil sanctions, including financial penalties, discretionary requirements, stop notices and enforcement undertakings on those visitor accommodation providers who fail to comply with the requirements set out in any regulations made under this section and also make provisions for appeals against such civil sanctions.

Section 38 - Exercise by a principal council of its functions under this Part etc.

101. The section outlines that functions of a principal council in respect of the levy are not executive functions.

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102. This section provides definitions for "executive" and "executive arrangements" and adds functions relating to the visitor levy into the list of functions not to be the responsibility of the executive in the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 (S.I. 2007/399).

Part 3 - Miscellaneous and General Provision

Section 39 - Guidance issued by the Welsh Ministers

103. This section permits the Welsh Ministers to issue guidance on the Bill and any regulations made under it. Should the Welsh Ministers decide to publish guidance, this section also places a duty on them to consult such persons as they consider appropriate.

104. A principal council must have regard to any guidance issued under this section when considering whether to exercise or when exercising a function related to its levy.

Section 40 - Power to extend Act to berths and moorings

105. This section states that the Welsh Ministers may, by regulations, amend this Bill and the 2016 Act to apply or replicate Parts 2 and 3 of this Bill, with or without modifications, in respect of berths and moorings provided for vessels.

Section 41 - Power to make consequential, transitional etc. provision

106. The section provides that the Welsh Ministers may by regulations make provision that is incidental or supplementary to, or consequential on, any provision of the Bill. Welsh Ministers may also by regulations make provisions that are transitional or saving provisions in connection with any provision of the Bill.

107. These regulations may amend, modify, repeal, or revoke any enactment, including any provision of the Act.

Section 42 - Regulations under this Act

108. This section makes provision in relation to regulations made by the Welsh Ministers generally in this Bill. Welsh Ministers will be able to make different provisions for different situations, to make provisions for specific cases or to make them more generally and to make incidental, supplementary, consequential, transitional, or saving provisions. The section also outlines the legislative procedure for regulations made under different sections of the Bill.

Section 43 - Interpretation

109. This section provides definitions and interpretations for terms used in the Act; "night" ("*noson*") means a period starting on one day and ending on the next day; "overnight stay in visitor accommodation" ("*arhosiad dros nos mewn llety ymwelwyr*") is to be interpreted in accordance with section 9;

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“partnership” (“*partneriaeth*”) means—

- (i) a partnership within the Partnership Act 1890 (c. 39),
- (ii) a limited partnership registered under the Limited Partnerships Act 1907 (c. 24), or
- (iii) a partnership or entity of a similar character formed under the law of a country or territory outside the United Kingdom;

“provide” (“*darparu*”) in relation to the provision of visitor accommodation, is to be interpreted in accordance with section 3;

“premium” (“*premiwm*”) has the meaning given in section 14(2);

“principal council” (“*prif gyngor*”) means a council for a county or a county borough in Wales;

“return” (“*ffurflen*”) means a return of the kind mentioned in section 16;

“vessel” (“*llestr*”) means a ship, boat, raft, or other apparatus constructed or adapted for floating on water, designed or adapted for human habitation;

“visitor accommodation” (“*llety ymwelwyr*”) has the meaning given by section 2;

“visitor accommodation provider” (“*darparwr llety ymwelwyr*”) and “VAP” (“*DLIY*”) is to be interpreted in accordance with section 3;

“WRA” (“*ACC*”) means the Welsh Revenue Authority.

110. The section also states that where the Bill imposes a duty on a principal council to publish a decision, report or other document other than a notice, the decision, report or other document must be published on the principal council’s website, and in such other manner as the principal council considers appropriate. The published document must be made available for inspection (without charge) at the offices of the principal council for at least 12 months after it is first published.

Section 44 - Coming into force

111. Provisions of the Bill in Parts 1, 3 and 4 will come into force on the day after the day this Bill receives Royal Assent. Part 2 will come into force in accordance with a commencement order made by the Welsh Ministers.

Section 45 - Short title

112. This section establishes the Bill’s title as the “Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025”.

Schedule 1 - Amendments to the Tax Collection and Management (Wales) Act 2016

113. Schedule 1 is introduced by section 21.

Paragraph 2 - Amendment of references to “devolved tax” etc. in the 2016 Act

114. This paragraph sets out, other than the listed exceptions, that where “devolved [tax]” appears in the 2016 Act the wording should be replaced by “WRA-collected [tax]”. Subject to the exceptions, this amendment allows the WRA to manage and

collect the visitor levy, as well as the devolved taxes, under the same provisions within the 2016 Act.

Paragraphs 3 to 11 - Amendments to Part 2 of the 2016 Act

115. **Paragraph 3** amends section 12(2)(b) of the 2016 Act to enable the WRA to provide information and assistance relating to the visitor levy, as well as the devolved taxes, to taxpayers, their agents and other persons.
116. **Paragraph 3** also inserts a new section 12(2)(e) to include the provision of information, advice and assistance related to the visitor levy to principal councils as a particular function of the WRA.
117. **Paragraph 4** amends section 15 of the 2016 Act by inserting a new subsection (1A) to provide, that before the Welsh Ministers may give a direction relating only to the WRA's functions concerning the visitor levy, the Welsh Ministers are required to consult each principal council that has introduced or decided to introduce a visitor levy.
118. **Paragraph 5** amends section 18(1) of the 2016 Act to include a new permitted disclosure of protected taxpayer information where that disclosure is for the purposes of the WRA's functions. Limitations are set on this permitted disclosure so that protected taxpayer information cannot be disclosed when providing the Welsh Ministers with information, advice and assistance in relation to WRA-collected taxes or other matters on which the Welsh Ministers may from time to time require information, advice or assistance. A similar limitation is placed on this permitted disclosure so that protected taxpayer information cannot be disclosed when providing the principal councils with information, advice and assistance in relation to the visitor levy.
119. **Paragraph 6** introduces a new section 24A into the 2016 Act. Section 24A requires the WRA to maintain separate accounts for visitor levy proceeds for each county or county borough. The WRA must pay these proceeds to the respective principal councils annually by 30 June following the end of the financial year or such other date agreed between the WRA and the principal council. The payment to the principal council must be made after the deduction of the WRA's relevant costs or disbursements incurred in exercising its functions and collecting the visitor levy. The Welsh Ministers may introduce regulations which set out, amongst other matters, how these costs are apportioned and specify the types of costs or disbursements that may, must, or must not be deducted.
120. **Paragraph 7** amends section 25 of the 2016 Act to ensure that only payments of receipts relating to devolved taxes (and not the visitor levy) should be paid into the Welsh Consolidated Fund. It also introduces a new subsection (3) to ensure that the WRA must pay amounts deducted for costs from proceeds of the visitor levy into the Welsh Consolidated Fund.

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121. **Paragraph 8** amends section 26(2) of the 2016 Act so that the Charter applies both to the WRA's responsibilities for the devolved taxes and to the visitor levy.
122. **Paragraph 9** amends section 27 of the 2016 Act to ensure that before the WRA is able to submit the corporate plan for approval by the Welsh Ministers, the WRA must have consulted each principal council that has introduced, or decided to introduce, the visitor levy in its area about any objectives, outcomes or activities that relate to the visitor levy.
123. **Paragraph 10** amends section 29 of the 2016 Act by introducing a new subsection (2A) that places an obligation on the Welsh Ministers to consult with each principal council that has introduced, or decided to introduce, the visitor levy before giving a direction to the WRA that relates only to the visitor levy.
124. **Paragraph 11** amends section 30 of the 2016 Act to place an obligation on the Welsh Ministers to consult with each principal council that has introduced, or decided to introduce, the visitor levy before giving a direction to the WRA that relates only to the visitor levy.

Paragraphs 13 and 14 - Amendments to Part 3 of the 2016 Act

125. **Paragraph 13** amends section 40 of the 2016 Act to provide a definition of "filing date" for a return related to the visitor levy.
126. **Paragraph 14** amends section 58 of the 2016 Act (conditions for making WRA assessments). It amends the conditions for making WRA assessments to include a new subsection (5), which specifies that information is considered available to the WRA if it is in a tax return, documents produced, or information provided for an enquiry, or if its existence could be reasonably inferred by the WRA from a tax return, documents produced, or information provided for an enquiry or the existence of which is notified in writing to the WRA by the taxpayer or their agent.

Paragraphs 15 and 16 - Amendments to Part 3A of the 2016 Act

127. **Paragraphs 15 and 16** make amendments to Part 3A of the 2016 Act to ensure that the general anti-avoidance rule continues to apply to the devolved taxes but does not apply to the visitor levy.

Paragraph 17 - Amendment to Part 4 of the 2016 Act

128. This paragraph amends section 86 of the 2016 Act to remove the requirement for the WRA to seek the approval of the tribunal before issuing a notice to the taxpayer requiring them to provide information or produce documents. This changed rule will apply to both the visitor levy and the devolved taxes.

Paragraphs 18 to 29 - Amendments to Part 5 of the 2016 Act

129. **Paragraph 18** introduces a new section 117A of the 2016 Act that provides definitions of "devolved tax return", "visitor accommodation provider" and "visitor levy return" for Part 5 of the 2016 Act. It also provides a rule for which type of return a visitor accommodation provider is to be treated as needing to make

where they have not previously made a return or indicated whether they need to make annual or quarterly returns. In both situations the provider is to be treated as subject to the rules that apply to a visitor accommodation provider making annual returns.

130. **Paragraphs 19 to 22** introduce a number of minor amendments to provide that sections 118 to 120 of the 2016 Act, which set out the penalty rules for failures to make a return, are to apply only to the devolved taxes and not to the visitor levy.
131. **Paragraph 23** introduces new sections 120A to 120F of the 2016 Act.
132. Sections 120A to 120D provide the rules of the penalty point based regime for the late filing of visitor levy returns for annual and quarterly visitor levy returns.
133. For annual returns if a return is made after the filing date but within 48 weeks after the date the return was due to be filed the visitor accommodation provider may incur a penalty point. There is no financial penalty for incurring one point over a 24-month period.
134. A penalty of £100 will become due if the visitor accommodation provider filing annual returns has incurred two penalty points. The rules also provide that penalty points previously incurred will expire at the end of a period of 24 months beginning with the filing date of the return to which the penalty point relates.
135. For quarterly returns if a return is made after the filing date but within 11 weeks after the date the return was due to be filed the visitor accommodation provider may incur a penalty point. There is no financial penalty for incurring up to three points over a 12-month period.
136. A penalty of £100 will become due if the visitor accommodation provider filing quarterly returns has incurred four penalty points. The rules also provide that penalty points previously incurred will expire at the end of a period of 12 months beginning with the filing date of the return to which the penalty point relates.
137. A visitor accommodation provider who has incurred one or more unexpired penalty points may not change the frequency of their return obligations from quarterly to annual or from annual to quarterly.
138. As well as the provision for the points-based penalty system section 124E provides that for both quarterly and annual return obligations that a penalty of £100 is incurred if the return has still not been filed 6 months after the filing date.
139. Section 120F provides that, as well as the points-based penalty system, for both quarterly and annual return obligations a penalty for returns made more than 12 months late will also be applied. Where the provider deliberately withholds information that would enable the WRA to assess the liability, the penalty is £300,

or a greater amount not amounting to more than 95% of the visitor levy the provider would have been liable if the return had been made. Where the return is late, but the provider has not deliberately withheld information, the penalty is the greater of £300 and 5% of the visitor levy the provider would have been liable if the return had been made.

140. **Paragraph 24** amends section 121(1) of the 2016 Act to allow financial penalties for both the devolved taxes and visitor levy to be capable of reduction.

141. **Paragraph 25** makes amendments to section 122 of the 2016 Act to introduce rules for financial penalties when a visitor accommodation provider fails to pay the visitor levy to the WRA by the due date. The penalty for failure to pay the visitor levy on time is 5% of the amount of unpaid levy, but, if 5% of the amount of unpaid levy is lower than £100, the penalty is to be £100; and, if 5% of the amount of unpaid levy is greater than £5,000, the penalty is to be £5,000. Other amendments are made to section 122 to provide for the correct cross references to new section 122B and to insert a new line into Table A1.

142. **Paragraph 26** introduces a new section 122B of the 2016 Act. The new section provides penalties where there is a continuing failure to pay the visitor levy. Further late payment penalties arise if an amount of visitor levy remains unpaid after 6 months. The penalty is to be 5% of the amount that remains unpaid, but, if 5% of the unpaid amount is lower than £100, the penalty is to be £100, and, if 5% of the unpaid amount is greater than £5,000, the penalty is to be £5,000. If the visitor levy remains unpaid 12 months after the date a liability to pay the penalty arose under section 122 of the 2016 Act, then a penalty based on the same calculation method as at 6 months is applied to the amount of visitor levy outstanding at the 12-month penalty date.

143. **Paragraph 27 to 29** amend sections 126, 127 and 128 of the 2016 Act to include cross references to the visitor levy penalties so that the rules contained in those sections apply to the penalties related to the visitor levy.

Paragraphs 30 - Amendments to Part 8 of the 2016 Act

144. **Paragraph 30** amends section 172(2) of the 2016 Act to introduce two new appealable decisions. The first is a decision relating to a penalty point for failure to make a return. The second is a decision to issue a taxpayer notice, or to include a particular requirement in such a notice, if the issuing of the notice had not been approved by the tribunal.

Paragraphs 31 to 36 - Amendments to Part 10 of the 2016 Act

145. **Paragraph 31** introduces a new section 187B of the 2016 Act in respect of Crown application in relation to the levy.

These notes refer to Visitor Accommodation (Register and Levy) Etc. (Wales) Bill which was introduced into Senedd Cymru on 25 November 2024

146. **Paragraph 32** amends section 189 of the 2016 Act to ensure that the regulation making power provided to the Welsh Ministers by the new section 24A of the 2016 Act is subject to the draft affirmative procedure when the power is exercised.
147. **Paragraph 33** amends section 190 of the 2016 Act regarding the issuing of notices by the WRA to include the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025. Furthermore, the amendments provide that the address for the most recent tax return sent to the WRA is also a proper address for the purposes of serving a notice on a taxpayer or other person. This new rule will apply to notices relating to both the visitor levy and to the devolved taxes.
148. **Paragraph 34** amends section 191 of the 2016 Act, which relates to the giving of notices or information to WRA, to include the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025.
149. **Paragraph 35** amends section 192, the interpretation section of the 2016 Act, to omit “devolved taxpayer” and include, “principal council”, “taxpayer”, “visitor levy” and “WRA-collected tax”. A new subsection is added to provide a definition of the point at which a principal council has decided to introduce the visitor levy in its area.
150. **Paragraph 36** amends section 193 of the 2016 Act to insert additional terms into the index of defined expressions, including, “devolved tax return”, “principal council”, “taxpayer”, “visitor levy”, “WRA-collected tax”, etc.

ANNEX 2

INDEX OF STANDING ORDER REQUIREMENTS

Table 27

Standing order		Section	pages
26.6(i)	Statement the provisions of the Bill would be within the legislative competence of the Senedd	Member's declaration	p1
26.6(ii)	Set out the policy objectives of the Bill	Chapter 3 - Purpose and intended effect of the legislation	p5-7 and p13
26.6(iii)	Set out whether alternative ways of achieving the policy objectives were considered and, if so, why the approach taken in the Bill was adopted	Part 2 – Regulatory Impact Assessment	p50 - 52

Standing order		Section	pages
26.6(iv)	Set out the consultation, if any, which was undertaken on: <ul style="list-style-type: none"> (a) the policy objectives of the Bill and the ways of meeting them; (b) the detail of the Bill, and (c) a draft Bill, either in full or in part (and if in part, which parts) 	Chapter 4 – Consultation	p16-17
26.6(v)	Set out a summary of the outcome of that consultation, including how and why any draft Bill has been amended	Chapter 4 – Consultation	p17-22
26.6(vi)	If the bill, or part of the Bill, was not previously published as a draft, state the reasons for that decision	Chapter 4 – Consultation	p23
26.6(vii)	Summarise objectively what each of the provisions of the Bill is intended to do (to the extent that it requires explanation or comment) and give other information necessary to explain the effect of the Bill	Annex 1 – Explanatory Notes	p105 - 125
26.6(viii)	Set out the best estimates of: <ul style="list-style-type: none"> (a) the gross administrative, compliance and other costs to which the provisions of the Bill would give rise; 	Part 2 – Regulatory Impact Assessment	p46 - 49

Standing order	Section		pages
	<ul style="list-style-type: none"> (b) the administrative savings arising from the Bill; (c) net administrative costs of the Bill's provisions; (d) the timescales over which such costs and savings would be expected to arise; and (e) on whom the costs would fall 		
26.6(ix)	Any environmental and social benefits and dis-benefits arising from the Bill that cannot be quantified financially	Part 2 – Regulatory Impact Assessment	p48
26.6(x)	<p>Where the Bill contains any provision conferring power to make subordinate legislation, set out, in relation to each such provision:</p> <ul style="list-style-type: none"> (a) the person upon whom, or the body upon which, the power is conferred and the form in which the power is to be exercised; (b) why it is considered appropriate to delegate the power; and (c) the Senedd procedure (if any) to which the subordinate legislation made or to be made in the exercise of the power is to be subject, and why it was considered appropriate to make it subject to 	Chapter 5 - Power to make subordinate legislation	p25-45

Standing order		Section	pages
	that procedure (and not to make it subject to any other procedure);		
26.6(xi)	Where the Bill contains any provision charging expenditure on the Welsh Consolidated Fund, incorporate a report of the Auditor General setting out his or her views on whether the charge is appropriate	The requirement of Standing Order 26.6(xi) does not apply to this Bill	n/a
26.6(xii)	Set out the potential impact (if any) on the justice system in England and Wales of the provisions of the Bill (a “justice impact assessment”), in accordance with section 110A of the Act.	Part 2 – Regulatory Impact Assessment	p98
26.6B	Where provisions of the Bill are derived from existing primary legislation, whether for the purposes of amendment or consolidation, the Explanatory Memorandum must be accompanied by a table of derivations that explain clearly how the Bill relates to the existing legal framework.	The requirement in Standing Order 26.6B for a Table of Derivations is not applicable to this Bill as the Bill is a standalone piece of legislation and does not derive from existing primary legislation for the purposes of amendment or consolidation.	n/a
26.6C	Where the Bill proposes to significantly amend existing primary legislation, the Explanatory Memorandum must be accompanied by a schedule setting out the wording of existing legislation amended by the Bill, and setting out clearly how that wording is amended by the Bill.	Annex 3 – Schedule of Amendments	p130 - 169

ANNEX 3

Schedule of amendments

AMENDMENTS TO BE MADE BY THE VISITOR ACCOMMODATION (REGISTER AND LEVY) ETC. (WALES) BILL

This document is intended to show how the provisions of the Tax Collection and Management (Wales) Act 2016 as they applied in relation to Wales on 21st October 2024 would look as amended by the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill if enacted as introduced on 25 November 2024.

Material to be deleted by the [insert name of Bill] is in strikethrough, e.g. ~~emitted material looks like this~~. Material to be added by the [insert name of Bill] (Wales) Bill is underlined, e.g. added material looks like this. References to the relevant amending provisions of the Bill are provided in the right hand column on each page.

A number of related provisions from the Act, although not being amended, are included to aid understanding of the proposed amendments.

Warning

This text has been prepared by officials of the Welsh Treasury of the Welsh Government. Although efforts have been taken to ensure that it is accurate, it should not be relied on as a definitive text of the Act or the Bill.

It has been produced solely to help people understand the effect of the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill. It is not intended for use in any other context.

Tax administration and management provisions impacting the Tax Collection and Management (Wales) Act 2016

Tax Collection and Management (Wales) Act 2016	Amended by
<p>A global amendment is made in the Tax Collection and Management (Wales) Act 2016. In all places in the Act where “devolved” is mentioned except from the list below will be replaced to read “WRA-collected”. This is to enable the WRA to collect and manage the visitor levy, a local tax.</p> <p>The section states:</p> <p>for “devolved”, in each place it occurs in the Tax Collection and Management (Wales) Act 2016 (and subject to the other amendments provided for in this Schedule), substitute “<u>WRA-collected</u>”; but not in the following provisions—</p> <ul style="list-style-type: none"> (a) section 1(ba) (overview of Act); (b) section 12(2)(b) (which is amended by paragraph 3) (WRA’s main functions); (c) section 18(1)(j) (permitted disclosures relating to Scottish devolved taxes); (d) section 25 (which is amended by paragraph 7) (payments into Welsh Consolidated fund); (e) section 26(2) (which is amended by paragraph 8) (Charter of standards and values); (f) Part 3A (general anti-avoidance rule); (g) section 117A (which is inserted by paragraph 18) (interpretation and application of Part 5 of the 2016 Act in relation to the visitor levy); (h) sections 118 to 120, and the italic heading that precedes them (those provisions are amended by paragraphs 19 to 22) (penalty for failure to make tax return); (i) in section 122(3), in Table A1, item 7 (penalty dates relating to general anti-avoidance rule); (j) section 122A (further penalties for continuing failure to pay devolved tax); (k) section 136(5) (potential lost revenue: balancing between devolved taxes); (l) in section 192(2) (interpretation), in the definitions of— <ul style="list-style-type: none"> (i) “devolved tax”; 	<p>Paragraph 2 of Schedule 1</p>

<p>(ii)“devolved taxpayer” (which is omitted by paragraph Error! Reference source not found.);</p> <p>(iii)“LTTA”;</p> <p>(iv)“WRA-collected tax” (which is inserted by paragraph 35(a)(ii));</p> <p>(m) ksection 193 (index of defined expressions).</p>	
<p style="text-align: center;">Part 2</p> <p style="text-align: center;">THE WELSH REVENUE AUTHORITY</p> <p style="text-align: center;"><i>Establishment and status of the Welsh Revenue Authority</i></p> <p><i>Functions</i></p> <p>12 Main functions</p> <p>(1) WRA’s general function is the collection and management of devolved taxes.</p> <p>(2) WRA has the following particular functions—</p> <ul style="list-style-type: none"> (a) providing to the Welsh Ministers information, advice and assistance relating to devolved taxes; (b) providing information and assistance relating to devolved taxes to devolved taxpayers <u>WRA-collected taxes to taxpayers</u>, their agents and other persons; (c) resolving complaints and disputes relating to devolved taxes; (d) promoting compliance with the law relating to devolved taxes and protecting against tax evasion and tax avoidance in relation to devolved taxes. <u>(e) providing information, advice and assistance relating to the visitor levy to principal councils.</u> <p>(3) WRA must provide the Welsh Ministers with such information, advice or assistance relating to its functions as the Welsh Ministers may from time to time require in such form as the Welsh Ministers determine.</p> <p>(4) In addition to any other powers it has, WRA may do anything which it considers—</p> <ul style="list-style-type: none"> (a) necessary or expedient in connection with the exercise of its functions, or (b) incidental or conducive to the exercise of those functions. 	<p style="text-align: center;">Paragraph 3 of Schedule 1</p>

<p>15 General directions</p> <p>(1) The Welsh Ministers may give to WRA directions of a general nature.</p> <p><u>(1A) Before giving a direction under subsection (1) that relates only to WRA's functions relating to the visitor levy, the Welsh Ministers must consult each principal council that has introduced, or decided to introduce, the visitor levy in its area.</u></p> <p>(2) WRA must, in the exercise of its functions, comply with directions given under subsection (1)</p> <p>(3) Directions given under subsection (1) may not relate to the exercise of the functions in sections 29 or 30.</p> <p>(4) Directions under this section may be varied or revoked at any time.</p> <p>(5) The Welsh Ministers must publish any directions given under subsection (1).</p>	<p>Paragraph 4 of Schedule 1</p>
<p><i>Information</i></p> <p>18 Permitted disclosures</p> <p>(1) A disclosure of protected taxpayer information is permitted by this section if—</p> <p><u>(za) it is made for the purposes of WRA's functions, other than the functions mentioned in section 12(2)(a) and (e), and (3),</u></p> <p>(a) it is made with the consent of each person to whom the information relates,</p> <p>(b) it is made for the purpose of obtaining services in connection with a function of WRA,</p> <p>(c) it is made for the purposes of a criminal investigation or criminal proceedings or for the purposes of the prevention or detection of crime,</p> <p>(d) it is made to a body with responsibility for the regulation of a profession in connection with misconduct on the part of a member of the profession which relates to a function of WRA,</p> <p>(e) it is made for the purposes of civil proceedings,</p> <p>(f) it is made in pursuance of an order of a court or tribunal,</p> <p>(g) it is made in accordance with an enactment requiring or permitting the disclosure, or</p>	<p>Paragraph 5 of Schedule 1</p>

<p>(h) it is made to WRA or to a person to whom WRA has delegated any of its functions for use in accordance with section 16.</p> <p>(i) [it is made to Her Majesty’s Revenue and Customs in connection with a function of WRA or in connection with a function of Her Majesty’s Revenue and Customs, or</p> <p>(j) it is made to Revenue Scotland in connection with a function of WRA or in connection with the collection and management of a devolved tax within the meaning of the Scotland Act 1998 (c. 46).</p> <p>(2) The Welsh Ministers may by regulations amend subsection (1).</p>	
<p><i>Money</i></p> <p>24 Rewards</p> <p>WRA may pay a reward to a person in return for a service which relates to any of its functions.</p> <p><u>24A Payments of net proceeds of visitor levy to principal councils</u></p> <p>(1) <u>WRA must, in relation to each county or county borough in which the visitor levy has been introduced, keep a separate account for the proceeds of the visitor levy collected in respect of that county or county borough.</u></p> <p>(2) <u>WRA must pay the proceeds of the visitor levy collected each financial year in respect of a principal council’s area (including any interest on the proceeds) to that principal council, no later than—</u></p> <p style="padding-left: 40px;">(a) <u>30 June in the following financial year, or</u> (b) <u>such other date as may be agreed between WRA and the principal council.</u></p> <p>(3) <u>But, subject to regulations under subsection (5), WRA must do so after deducting from the proceeds received for the financial year such amounts as WRA considers appropriate in respect of the costs it has incurred in connection with the exercise of its functions during that financial year in relation to the visitor levy for that area.</u></p> <p>(4) <u>WRA may also, subject to regulations under subsection (5), deduct from the proceeds received for the financial year such amounts as WRA considers appropriate in respect of costs WRA considers it may incur and disbursements WRA considers may become payable—</u></p>	<p>Paragraph 6 of Schedule 1</p>

<p>(a) <u>in connection with the exercise of its functions during the financial year in relation to the visitor levy for that area, but</u> (b) <u>after it has paid the proceeds for that year to the principal council.</u></p> <p>(5) <u>The Welsh Ministers may by regulations make further provision about the deduction of amounts in respect of costs, or the deduction of disbursements, including provision—</u> (a) <u>limiting the amount of costs or disbursements WRA may deduct (including by reference to a percentage of the disbursements or the costs incurred or to a maximum amount that may be deducted, or by other means);</u> (b) <u>about how costs and disbursements are to be apportioned between principal councils that have introduced the visitor levy in their areas;</u> (c) <u>specifying types of cost or disbursement that may, must or must not be deducted.</u></p> <p>(6) <u>For the purposes of this section—</u> (a) <u>references to proceeds of the visitor levy include any financial penalties collected in relation to the levy;</u> (b) <u>payments to principal councils under subsection (2) are not disbursements.”</u></p>	
<p>25 Payments of receipts into Welsh Consolidated Fund</p> <p>(1) WRA must pay amounts collected in the exercise of its functions <u>relating to devolved taxes</u> into the Welsh Consolidated Fund.</p> <p>(2) But WRA may do so after deduction of disbursements by way of repayments of devolved taxes (including interest on such repayments) and credits in respect of devolved taxes.</p> <p>(3) <u>WRA must pay into the Welsh Consolidated Fund amounts deducted under section 24A(3) or (4), in respect of costs, from proceeds of the visitor levy).</u></p>	<p>Paragraph 7 of Schedule 1</p>
<p><i>Charter of standards and values</i></p> <p>26 Charter of standards and values</p> <p>(1) WRA must prepare a Charter.</p> <p>(2) (The Charter must include— (a) standards of service, standards of behaviour and values which WRA is expected to adhere to when</p>	

<p>dealing with devolved taxpayers, their agents, <u>principal councils</u> and other persons in the exercise of its functions, and</p> <p>(b) standards of behaviour and values which WRA expects devolved taxpayers, their agents, <u>principal councils</u> and other persons to adhere to when dealing with it.</p> <p>(3) WRA must—</p> <p>(a) publish the Charter,</p> <p>(b) review the Charter—</p> <p style="padding-left: 40px;">i. at least once in the period of 5 years beginning with the day on which the Charter is published, and</p> <p style="padding-left: 40px;">ii. subsequently, at least once in the period of 5 years following a review, and</p> <p>(c) revise the Charter when it considers it appropriate to do so and publish the revised Charter.</p> <p>(4) Before publishing the Charter or a revised Charter WRA must consult such persons as it considers appropriate.</p> <p>(5) WRA must lay the Charter and any revised Charter before the National Assembly for Wales.</p> <p>(6) The first Charter must be published within 3 months of the coming into force of this section.</p>	<p>Paragraph 8 of Schedule 1</p>
<p><i>Corporate plans, annual reports, accounts etc.</i></p> <p>27 Corporate plan</p> <p>(1) WRA must, for each planning period, prepare a corporate plan and submit it for approval by the Welsh Ministers.</p> <p>(2) The corporate plan must set out—</p> <p style="padding-left: 40px;">(a) WRA's main objectives for the planning period,</p> <p style="padding-left: 40px;">(b) the outcomes by reference to which the achievement of the main objectives may be measured, and</p> <p style="padding-left: 40px;">(c) the activities which WRA expects to undertake during the planning period.</p> <p><u>(2A) Before submitting the plan for approval by the Welsh Ministers, WRA must consult each principal council that has introduced, or decided to introduce, the visitor levy in its area on any objectives, outcomes or activities that relate to the visitor levy.</u></p>	

<p>(3) The Welsh Ministers may approve the corporate plan subject to such modifications as may be agreed between them and WRA.</p> <p>(4) When the Welsh Ministers approve the corporate plan, WRA must—</p> <ul style="list-style-type: none"> (a) publish the plan, and (b) lay a copy of the plan before the National Assembly for Wales. <p>(5) During the planning period to which a corporate plan relates, WRA may review the plan and submit a revised corporate plan to the Welsh Ministers for approval.</p> <p>(6) Subsections (2) to (4) apply to a revised corporate plan as they apply to a corporate plan.</p> <p>(7) “Planning period” means—</p> <ul style="list-style-type: none"> (a) a first period prescribed by the Welsh Ministers by regulations, and (b) each subsequent period of 3 years. <p>(8) The Welsh Ministers may by regulations substitute for the period for the time being specified in subsection (7)(b) such other period as they consider appropriate.</p> <p>(9) The corporate plan for the first planning period must be submitted for approval by the Welsh Ministers not later than 6 months after WRA is established; and the corporate plan for each subsequent planning period must be submitted before the beginning of the planning period.</p>	<p>Paragraph 9 of Schedule 1</p>
<p>29 Accounts</p> <p>(1) WRA must—</p> <ul style="list-style-type: none"> (a) keep proper accounting records, and (b) prepare accounts in respect of each financial year in accordance with directions given by the Welsh Ministers. <p>(2) The directions which the Welsh Ministers may give include (among other things) directions as to—</p> <ul style="list-style-type: none"> (a) the information to be contained in the accounts and the manner in which the accounts are to be presented; (b) the methods and principles in accordance with which the accounts are to be prepared; 	<p>Paragraph 10 of Schedule 1</p>

<p>(c) additional information that is to accompany the accounts.</p> <p><u>(2A) Before giving a direction under subsection (2)(b) that relates only to the visitor levy, the Welsh Ministers must consult each principal council that has introduced, or decided to introduce, the visitor levy in its area.</u></p> <p>(3) Directions under this section may be varied or revoked at any time.</p>	
<p>30 Tax Statement</p> <p>(1) WRA must prepare in respect of each financial year, in accordance with directions given by the Welsh Ministers, a statement of the amount of money collected by it during the financial year in the exercise of its functions (a “Tax Statement”).</p> <p><u>(1A) Before giving a direction under subsection (1) that relates only to the visitor levy, the Welsh Ministers must consult each principal council that has introduced, or decided to introduce, the levy in its area.</u></p> <p>(2) Directions under this section may be varied or revoked at any time.</p>	<p>Paragraph 11 of Schedule 1</p>
<p>31 Audit</p> <p>(1) WRA must submit—</p> <ul style="list-style-type: none"> (a) the accounts prepared for a financial year, and (b) the Tax Statement for a financial year, to the Auditor General for Wales not later than 31 August in the following financial year. <p>(2) The Auditor General for Wales must—</p> <ul style="list-style-type: none"> (a) examine, certify and report on the accounts and Tax Statement, and (b) not later than the end of the period of 4 months beginning with the day on which they are submitted, lay a copy of the certified accounts and Tax Statement, and the reports on them, before the National Assembly for Wales. <p>(3) In examining the accounts submitted under this section, the Auditor General for Wales must, in particular, be satisfied—</p>	<p>Paragraph 12 of Schedule 1</p>

<p>(a) that the expenditure to which the accounts relate has been incurred lawfully and in accordance with the authority which governs it, and</p> <p>(b) that money received for a particular purpose or particular purposes has not been expended otherwise than for that purpose or those purposes.</p> <p>(4) In examining the Tax Statement submitted under this section, the Auditor General for Wales must, in particular, be satisfied—</p> <p>(a) that the money collected by WRA, to which the Tax Statement relates, has been collected lawfully, and</p> <p>(b) that any deduction of disbursements has been made in accordance with section <u>24A</u> or <u>25(2)</u>.</p>	
<p style="text-align: center;">Part 3</p> <p style="text-align: center;">TAX RETURNS, ENQUIRIES AND ASSESSMENTS</p> <p style="text-align: center;">CHAPTER 3</p> <p style="text-align: center;">TAX RETURNS</p> <p><i>Filing date</i></p> <p>40 Meaning of “filing date”</p> <p><u>(1)</u> In the Welsh Tax Act, the “filing date”—</p> <p>(a) in relation to a tax return for land transaction tax, is the day by which the return is required to be made under LTTA;</p> <p>(b) in relation to a tax return for landfill disposals tax, has the meaning given by section 39(4) of LDTA.</p> <p><u>(2)</u> <u>In this Act the “filing date”, in relation to a visitor levy return, has the meaning given by section 16 of the Visitor Accommodation (Register and Levy) Etc. (Wales) Act (2025).</u></p>	<p style="text-align: center;">Paragraph 13 of Schedule 1</p>
<p style="text-align: center;">CHAPTER 6</p> <p style="text-align: center;">WRA ASSESSMENTS</p> <p><i>Making WRA assessments</i></p> <p>58 Conditions for making WRA assessments</p> <p>(1) A WRA assessment—</p>	

<p>(a) may be made only in the four cases specified in subsections 2), (3), (3A) and (3B), and</p> <p>(b) may not be made in the circumstances specified in subsection (4).</p> <p>(2) The first case is where the situation mentioned in section 54 or 55 was brought about carelessly or deliberately by—</p> <p>(a) the taxpayer,</p> <p>(b) a person acting on the taxpayer's behalf, or</p> <p>(c) a person who was a partner in the same partnership as the taxpayer.</p> <p>(3) The second case is where—</p> <p>(a) a tax return has been made,</p> <p>(b) WRA has ceased to be entitled to issue a notice of enquiry into the return, or has completed its enquiries into it, and</p> <p>(c) at the time when WRA ceased to be so entitled or completed those enquiries, it could not reasonably have been expected to be aware of the situation mentioned in section 54 or 55 on the basis of information made available to WRA before that time.</p> <p>(3A) The third case is where WRA makes an adjustment under the general anti-avoidance rule (see Part 3A, in particular section 81E).</p> <p>(3B) The fourth case is where WRA has come to the view that a situation described in section 55A has arisen.</p> <p>(4) No WRA assessment may be made [in the first or second case if—</p> <p>(a) the situation mentioned in section 54 or 55 is attributable to a mistake in [a tax return] as to the basis on which the devolved tax liability ought to have been calculated, and</p> <p>(b) the mistake occurred because the tax return was made on the basis prevailing, or in accordance with the practice generally prevailing, at the time it was made.</p> <p>(5) <u>For the purpose of subsection (3)(c), information is regarded as made available to WRA if—</u></p> <p><u>(a) it is contained in a tax return,</u></p> <p><u>(b) it is contained in any documents produced or information provided to WRA for the purposes of an enquiry into any such return, or</u></p> <p><u>(c) it is information the existence of which—</u></p>	<p>Paragraph 14 of Schedule 1</p>
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<p><u>(i) could reasonably be expected to be inferred by WRA from information falling within paragraph (a) or (b), or</u> <u>(ii) is notified in writing to WRA by the taxpayer or a person acting on the taxpayer’s behalf.”</u></p>	
<p style="text-align: center;">Part 3A</p> <p>GENERAL ANTI-AVOIDANCE RULE: <u>DEVOLVED TAXES</u></p>	<p style="text-align: right;">Paragraph 15 of Schedule 1</p>
<p style="text-align: center;"><i>Overview</i></p> <p>81A Meaning of ““general anti-avoidance rule”” and overview</p> <p>(1) This Part makes provision, <u>relating to devolved taxes</u>, for counteracting tax advantages arising from artificial tax avoidance arrangements, including provision—</p> <p>(a) about the meaning of ““tax avoidance arrangement””, ““artificial”” and ““tax advantage”” (sections 81B to 81D);</p> <p>(b) about WRA's power to make adjustments to counteract tax advantages and the steps to be taken by WRA in connection with such adjustments (sections 81E to 81G).</p> <p>(2) The rules in this Part are collectively to be known as ““the general anti-avoidance rule””.</p> <p><i>Artificial tax avoidance arrangements</i></p> <p>81B Tax avoidance arrangements</p> <p>(1) For the purposes of this Part, an arrangement is a ““tax avoidance arrangement”” if the obtaining of a tax advantage for any person is the main purpose, or one of the main purposes, of a <u>devolved</u> taxpayer entering into the arrangement.</p> <p>(2) In determining whether the main purpose, or one of the main purposes, of an arrangement is the obtaining of a tax advantage regard may in particular be had to the amount of devolved tax that would have been chargeable in the absence of the arrangement.</p> <p>(3) In this Part—</p> <p>(a) an ““arrangement”” includes any transaction, scheme, action, operation, agreement, grant, understanding, promise, undertaking, event or any</p>	

<p>series of any of those things (whether legally enforceable or not);</p> <p>(b) references to an arrangement are to be read as including—</p> <p>(i) a series of arrangements, and</p> <p>(ii) any part or stage of an arrangement comprised of more than one part or stage;</p> <p>(c) “<u>devolved taxpayer</u>” means a person liable to devolved tax or who would be liable but for the tax avoidance arrangement in question.</p> <p>81C Artificial tax avoidance arrangements</p> <p>(1) For the purposes of this Part, a tax avoidance arrangement is “artificial” if the entering into or carrying out of it is not a reasonable course of action in relation to the provisions of Welsh tax legislation applying to the arrangements.</p> <p>(2) In determining whether the tax avoidance arrangement is artificial, regard may in particular be had—</p> <p>(a) to any genuine economic or commercial substance to the arrangement (other than the obtaining of a tax advantage);</p> <p>(b) as to whether the arrangement results in an amount of tax chargeable that it is reasonable to assume was not the anticipated result when the relevant provision of Welsh tax legislation was enacted.</p> <p>(3) But an arrangement is not artificial if, at the time it was entered into or carried out—</p> <p>(a) the arrangement was consistent with generally prevailing practice, and</p> <p>(b) WRA had indicated its acceptance of that practice.</p> <p>(4) Where a tax avoidance arrangement forms part of any other arrangements, regard must also be had to those other arrangements in determining whether the tax avoidance arrangement is artificial.</p> <p>(5) In this section, “Welsh tax legislation” means—</p> <p>(a) the Welsh Tax Acts, and</p> <p>(b) any subordinate legislation (within the meaning of section 21 of the Interpretation Act 1978 (c. 30)) made under those Acts.</p> <p>81D Meaning of “tax” and “tax advantage</p> <p>For the purposes of this Part—</p> <ul style="list-style-type: none"> • “tax” (“<i>treth</i>”) means any devolved tax; 	<p>Paragraph 16 of Schedule 1</p>
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- “tax advantage” (“*mantais drethiannol*”) means—
 - (a) relief or increased relief from tax,
 - (b) repayment or increased repayment of tax,
 - (c) avoidance or reduction of a charge to tax,
 - (d) deferral of a payment of tax or advancement of a repayment of tax, ...
 - (e) avoidance of an obligation to deduct or account for tax [, and
 - (f) tax credit or increased tax credit.]

Counteracting tax advantages

81E Adjustments to counteract tax advantages

- (1) WRA may make such adjustments as it considers just and reasonable to counteract a tax advantage that would (ignoring this Part) arise from an artificial tax avoidance arrangement.
- (2) An adjustment may be made in respect of the devolved tax in question or any other devolved tax.
- (3) An adjustment must be made—
 - (a) where the adjustment relates to a tax return in respect of which an enquiry is in progress, by amending the return in a closure notice issued under section 50;
 - (b) otherwise by means of a WRA assessment.
- (4) WRA may not make an adjustment unless it has complied with the requirements of sections 81F and 81G.

81F Notice of proposed counteraction

- (1) WRA may issue a notice (a “proposed counteraction notice”) to a devolved taxpayer if WRA considers—
 - (a) that a tax advantage has arisen to a person from an artificial tax avoidance arrangement, and
 - (b) that the tax advantage should be counteracted by means of an adjustment under section 81E.
- (2) A proposed counteraction notice must—
 - (a) specify the tax avoidance arrangement and the tax advantage,
 - (b) explain why WRA considers that a tax advantage has arisen from an artificial tax avoidance arrangement,
 - (c) set out the adjustment that WRA proposes to make in order to counteract the tax advantage,

- (d) specify any amount that the devolved taxpayer will be required to pay in accordance with the proposed WRA assessment, and
- (e) inform the devolved taxpayer—
 - (i) that a final counteraction notice is to be issued after the expiry of the period of 45 days beginning with the day on which the proposed counteraction notice is issued,
 - (ii) that the devolved taxpayer may request that WRA extend that 45 day period, and
 - (iii) that the devolved taxpayer may make written representations to WRA at any time before the final counteraction notice is issued.

81G Final counteraction notice

- (1) WRA must, after the expiry of the 45 day period mentioned in section 81F(2)(e)(i) or such longer period as WRA has agreed to, issue a notice (a “final counteraction notice”) to the devolved taxpayer.
- (2) A final counteraction notice must state whether the tax advantage arising from the tax avoidance arrangement is to be counteracted by means of an adjustment under section 81E.
- (3) In determining whether the tax advantage is to be counteracted WRA must have regard to any written representations made by the devolved taxpayer.
- (4) If a final counteraction notice states that a tax advantage is to be counteracted by means of an adjustment the notice must also—
 - (a) specify the adjustment required to give effect to the counteraction,
 - (b) where the adjustment relates to a tax return in respect of which an enquiry is in progress, specify the amendment of the return which is to be included in the closure notice issued under section 50 when WRA reaches its conclusions in the enquiry,
 - (c) where paragraph (b) does not apply—
 - (i) be accompanied by the WRA assessment which gives effect to the adjustment, or
 - (ii) where a WRA assessment giving effect to the adjustment has been made, specify that assessment, and
 - (d) specify any amount that the devolved taxpayer—
 - (i) will be required to pay as a result of the amendment specified under paragraph (b), or

<p>(ii) is required to pay in accordance with the WRA assessment mentioned in paragraph (c).</p> <p>(5) If a final counteraction notice states that a tax advantage is not to be counteracted it must state the reasons for WRA's decision.</p> <p><i>Proceedings before a court or tribunal</i></p> <p>81H Proceedings in connection with the general anti-avoidance rule</p> <p>In proceedings before a court or the tribunal in connection with the general anti-avoidance rule, it is for WRA to show—</p> <p>(a) that there is an artificial tax avoidance arrangement, and</p> <p>(b) that the adjustments made (or to be made) to counteract the tax advantage arising from the arrangement are just and reasonable.</p> <p><i>Commencement and transitional provision</i></p> <p>81I General anti-avoidance rule: commencement and transitional provision</p> <p>(1) The general anti-avoidance rule has effect in relation to any tax avoidance arrangement entered into on or after the date on which this Part comes into force.</p> <p>(2) Where a tax avoidance arrangement forms part of any other arrangements entered into before that day, those other arrangements are to be ignored for the purposes of section 81C(4) unless the result of having regard to those other arrangements would be to determine that the tax avoidance arrangement was not artificial.</p>	
<p style="text-align: center;">PART 4</p> <p style="text-align: center;">INVESTIGATORY POWERS OF WRA</p> <p style="text-align: center;">CHAPTER 2</p> <p style="text-align: center;">POWERS TO REQUIRE INFORMATION AND DOCUMENTS</p> <p>86 Taxpayer notices</p> <p>(1) WRA may issue a notice (a “taxpayer notice”) requiring a person (“the taxpayer”) to provide information or produce a document if—</p> <p>(a) WRA requires the information or document for the purpose of checking the taxpayer's tax position,</p>	

<p>(b) it is reasonable to require the taxpayer to provide the information or produce the document, and</p> <p>(c) nothing in sections 97 to 102 prevents WRA from requiring the taxpayer to provide the information or produce the document.</p> <p>(2) But WRA may not issue a taxpayer notice without the approval of the tribunal.</p> <p>(2) Before issuing a taxpayer notice WRA may (but need not, subject to section 97(2)) apply to the tribunal for approval to issue the notice.</p>	<p>Paragraph 17 of Schedule 1</p>
<p style="text-align: center;">PART 5</p> <p style="text-align: center;">PENALTIES</p> <p style="text-align: center;">CHAPTER 1</p> <p style="text-align: center;">OVERVIEW</p> <p>117 Overview of Part</p> <p>(1) This Part makes provision about penalties relating to devolved taxes, including—</p> <ul style="list-style-type: none"> (a) penalties relating to failures to make tax returns or to pay devolved tax [or amounts payable in respect of tax credits], (b) penalties relating to inaccuracies, (c) penalties relating to record-keeping and reimbursement arrangements, and (d) penalties relating to investigations. <p>(2) It includes provision about—</p> <ul style="list-style-type: none"> (a) the circumstances which liability to those penalties arises, (b) the amounts of those penalties, (c) the circumstances in which liability to those penalties may be suspended or the amounts of those penalties may be reduced, (d) the assessment of those penalties, and (e) the payment of those penalties. <p><u>117A Interpretation and application of this Part in relation to the visitor levy</u></p> <p><u>(1) In this Part—</u></p>	<p>Paragraph 18 of Schedule 1</p>

<p><u>“devolved tax return” (“ffurflen treth ddatganoledig”)</u> means a tax return relating to a devolved tax; <u>“visitor accommodation provider” (“darparwr llety ymwelwyr”)</u> has the same meaning as in Chapter X of the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 00); <u>“visitor levy return” (“ffurflen ardoll ymwelwyr”)</u> means a return relating to the visitor levy (see section 16 of the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025).”</p> <p><u>(2) Where a visitor accommodation provider has never made a visitor levy return nor indicated to WRA whether the provider will make annual or quarterly returns, the provider is to be treated for the purposes of this Part as making annual returns.</u></p>	
<p style="text-align: center;">CHAPTER 2</p> <p style="text-align: center;">PENALTIES FOR FAILURE TO MAKE RETURNS OR PAY TAX [OR AMOUNTS PAYABLE IN RESPECT OF TAX CREDITS]</p> <p><i>Penalty for failure to make <u>devolved</u> tax return</i></p>	<p style="text-align: right;">Paragraph 19 of Schedule 1</p>
<p>118 Penalty for failure to make tax <u>devolved</u> return on or before filing date</p> <p>(1) A person who is required to make a <u>devolved</u> tax return is liable to a penalty of £100 if the person fails to make a <u>devolved</u> tax return on or before the filing date.</p> <p>(2) But see section 118A for an exception to the rule above.</p>	<p style="text-align: right;">Paragraph 20 of Schedule 1</p>
<p>119 Penalty for failure to make tax <u>devolved</u> return within 6 months from filing date</p> <p>(1) A person [who is required to make a <u>devolved</u> tax return] is liable to a penalty if the person's failure to make a <u>devolved</u> tax return continues after the end of the period of 6 months beginning with the day after the filing date.</p> <p>(2) The penalty is the greater of—</p>	<p style="text-align: right;">Paragraph 21 of Schedule 1</p>

<p>(a) 5% of the amount of the devolved tax to which the person would have been liable if the tax return had been made, and (b) £300.</p>	
<p>120 Penalty for failure to make <u>devolved</u> tax return within 12 months from filing date</p> <p>(1) A person [who is required to make a <u>devolved</u> tax return] is liable to a penalty if the person's failure to make a <u>devolved</u> tax return continues after the end of the period of 12 months beginning with the day after the filing date.</p> <p>(2) Where, by failing to make the <u>devolved</u> tax return, the person deliberately withholds information which would enable or assist WRA to assess the person's liability to a devolved tax, the penalty is— (a) £300, or (b) a greater amount, not exceeding 95% of the amount of devolved tax to which the person would have been liable if the tax return had been made.</p> <p>(3) In any case not falling within subsection (2), the penalty is the greater of— (a) 5% of the amount of the devolved tax to which the person would have been liable if the tax return had been made, and (b) £300.</p> <p><i><u>Penalty points and penalties for failures to make visitor levy returns</u></i></p> <p><u>120A Penalty point for failure to make visitor levy return on or before filing date</u></p> <p>(1) <u>A visitor accommodation provider (VAP) is liable to a penalty point if the provider fails to make a visitor levy return on or before the filing date for the return.</u></p> <p>(2) <u>Where a VAP is liable to a penalty point, WRA may award the penalty point by giving notice to the VAP.</u></p> <p>(3) <u>Notice under subsection (2) must be given— (a) if the VAP makes annual visitor levy returns, before the end of the period of 48 weeks beginning with the day after the filing date for the return;</u></p>	

<p><u>(b) if the VAP makes quarterly visitor levy returns, before the end of the period of 11 weeks beginning with the day after the filing date for the return.</u></p> <p><u>(4) WRA may withdraw a penalty point awarded under this section by giving notice to the VAP; and where a penalty point is withdrawn, the VAP is to be treated as never having received the penalty point.</u></p> <p><u>120B Financial penalty where penalty points have been awarded</u></p> <p><u>(1) If, having been awarded a penalty point, a VAP reaches the penalty threshold, the VAP is liable to a penalty of £100.</u></p> <p><u>(2) The penalty threshold is—</u> <u>(a) if the VAP makes annual returns, two penalty points, and</u> <u>(b) if the VAP makes quarterly returns, four penalty points.</u></p> <p><u>(3) A VAP that becomes liable to a penalty under subsection (1) remains liable to that penalty regardless of the subsequent expiry of any of the penalty points awarded to the VAP.</u></p> <p><u>120C Expiry of penalty points</u></p> <p><u>(1) A penalty point awarded to a VAP in relation to a failure to make an annual visitor levy return expires at the end of the period of 24 months beginning with the filing date of the return to which the penalty point relates.</u></p> <p><u>(2) A penalty point awarded to a VAP in relation to a failure to make a quarterly visitor levy return expires at the end of the period of 12 months beginning with the filing date of the return to which the penalty point relates.</u></p> <p><u>120D Changing frequency of filing of returns when provider has penalty point</u></p> <p><u>A VAP that has one or more unexpired penalty points may not change the frequency with which they make visitor levy returns (as to which, see section 17 of the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 00)).</u></p>	<p>Paragraph 22 & 23 of Schedule 1</p>
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<p><u>120E Financial penalty for failure to make visitor levy return within 6 months from filing date</u></p> <p><u>(1) This section applies where a VAP's failure to make a visitor levy return continues after the end of the period of 6 months beginning with the day after the filing date.</u></p> <p><u>(2) The VAP is liable to a penalty of £100 (regardless of whether the VAP has been awarded any unexpired penalty points, or is liable to any penalty points, in relation to the return in question or any other visitor levy return).</u></p> <p><u>120F Financial penalty for failure to make visitor levy return within 12 months from filing date</u></p> <p><u>(1) This section applies where a VAP's failure to make a visitor levy return continues after the end of the period of 12 months beginning with the day after the filing date.</u></p> <p><u>(2) The VAP is liable to a penalty (regardless of whether the VAP has been awarded any unexpired penalty points, or is liable to any penalty points, in relation to any visitor levy return).</u></p> <p><u>(3) Where, by failing to make the visitor levy return, the VAP deliberately withholds information that would enable or assist WRA to assess the VAP's liability to the visitor levy, the penalty is—</u></p> <p style="padding-left: 2em;"><u>(a) £300, or</u></p> <p style="padding-left: 2em;"><u>(b) a greater amount, not exceeding 95% of the amount of visitor levy to which the person would have been liable if the visitor levy return had been made.</u></p> <p><u>(4) In any case not falling within subsection (3), the penalty is the greater of—</u></p> <p style="padding-left: 2em;"><u>(a) 5% of the amount of visitor levy to which the VAP would have been liable if the visitor levy return had been made, and</u></p> <p style="padding-left: 2em;"><u>(b) £300.</u></p>	
<p><u>121 Reduction in penalty for failure to make tax return: disclosure</u></p> <p>(1) WRA may reduce a penalty under section 118, 118A, 119 or 120, <u>120, 120B, 120E or 120F</u> if the person discloses information which has been withheld as a</p>	

<p>result of a failure to make a tax return (“relevant information”).</p> <p>(2) A person discloses relevant information by—</p> <ul style="list-style-type: none"> (a) telling WRA about it, (b) giving WRA reasonable help in quantifying any devolved tax unpaid by reason of the information having been withheld, and (c) allowing WRA access to records for the purpose of checking how much devolved tax is so unpaid. <p>(3) In reducing a penalty under this section, WRA may take account of—</p> <ul style="list-style-type: none"> (a) whether the disclosure was prompted or unprompted, and (b) the quality of the disclosure. <p>(4) Disclosure of relevant information—</p> <ul style="list-style-type: none"> (a) is “unprompted” if made at a time when the person making the disclosure has no reason to believe that WRA has discovered or is about to discover the relevant information, and (b) otherwise, is “prompted”. <p>(5) “Quality”, in relation to disclosure, includes timing, nature and extent.</p>	<p>Paragraph 24 of Schedule 1</p>
<p><i>Penalty for failure to pay tax</i></p> <p>122 Penalty for failure to pay tax on time</p> <p>(1) A person is liable to a penalty if the person has failed to pay an amount of devolved tax on or before the penalty date in respect of that amount.</p> <p>(2) The penalty—</p> <ul style="list-style-type: none"> a) in respect of an amount of land transaction tax, is 5% of the amount of unpaid tax; b) in respect of an amount of landfill disposals tax, is 1% of the amount of unpaid tax.] c) <u>in respect of an amount of visitor levy, is 5% of the amount of unpaid levy, but—</u> <ul style="list-style-type: none"> (i) <u>if 5% of the amount of unpaid levy is lower than £100, the penalty is £100;</u> (ii) <u>if 5% of the amount of unpaid levy is greater than £5000, the penalty is £5000</u> <p>(2A) But see section 122ZA for an exception to the rule in subsection (1).</p>	<p>Paragraph 25 of Schedule 1</p>

<p>(3) In this section and in [sections 122ZA and 122A<u>122ZA, 122A and 122B</u>], the penalty date in respect of an amount of devolved tax specified in column 3 of Table A1 is the date specified in column 4.</p> <p>N.B. AMENDED TABLE A1 AT THE END OF THE SCHEDULE OF AMENDMENTS</p> <p>(4) In this section, ““deferred amount”” has the same meaning as in section 58(6)(a) of LTТА.</p> <p>(5) The Welsh Ministers may by regulations modify Table A1.</p>	
<p>122A Further penalties for continuing failure to pay devolved tax</p> <p>(1) This section applies where a person is liable to a penalty under section 122 [or 122ZA] in respect of a failure to pay an amount of devolved tax on or before the penalty date for that amount.</p> <p>(2) If any of the amount remains unpaid after the end of the period of 6 months beginning with the day falling 30 days before the penalty date, the person is liable to a further penalty.</p> <p>(3) The further penalty is 5% of the amount that remains unpaid.</p> <p>(4) If any of the amount remains unpaid after the end of the period of 12 months beginning with the day falling 30 days before the penalty date, the person is liable to a second further penalty.</p> <p>(5) The second further penalty is 5% of the amount that remains unpaid.</p> <p><u>122B Further penalties for continuing failure to pay visitor levy</u></p> <p><u>(1) This section applies where a VAP is liable to a penalty under section 122 in respect of a failure to pay an amount of visitor levy on or before the penalty date for that amount.</u></p> <p><u>(2) If any of the amount remains unpaid after the end of the period of 6 months beginning with the day falling 30 days before the penalty date, the VAP is liable to a further penalty.</u></p>	<p>Paragraph 26 of Schedule 1</p>

<p>(3) <u>The further penalty is 5% of the amount that remains unpaid, but—</u></p> <p>(a) <u>if 5% of the unpaid amount is lower than £100, the penalty is £100;</u></p> <p>(b) <u>if 5% of the unpaid amount is greater than £5000, the penalty is £5000.</u></p> <p>(4) <u>If any of the amount remains unpaid after the end of the period of 12 months beginning with the day falling 30 days before the penalty date, the VAP is liable to a second further penalty.</u></p> <p>(5) <u>The second further penalty is 5% of the amount that remains unpaid, but—</u></p> <p>(a) <u>if 5% of the unpaid amount is lower than £100, the penalty is £100;</u></p> <p>(b) <u>if 5% of the unpaid amount is greater than £5000, the penalty is £5000.”</u></p>	
<p>126 Reasonable excuse for failure to make tax return or pay tax [or amount payable in respect of tax credit]</p> <p>(1) If a person satisfies WRA or (on appeal) the tribunal that there is a reasonable excuse for a failure to make a tax return, the person is not liable to a penalty under sections 118 to 120, <u>120B, 120E or 120F, or (as the case may be) to a penalty point under section 120A,</u> in relation to the failure.</p> <p>(2) If a person satisfies WRA or (on appeal) the tribunal that there is a reasonable excuse for a failure to pay a devolved tax, the person is not liable to a penalty under [sections 122 to 122A<u>122B</u>] in relation to the failure.</p> <p>(2A) If a person satisfies WRA or (on appeal) the tribunal that there is a reasonable excuse for a failure to pay an amount payable in respect of a tax credit, the person is not liable to a penalty under section 123A in relation to the failure.</p> <p>(3) For the purposes of subsections (1) [, (2) and (2A)]—</p> <p>(a) an insufficiency of funds is not a reasonable excuse unless attributable to events outside the person's control;</p> <p>(b) where a person relies on another person to do anything, that is not a reasonable excuse unless</p>	<p>Paragraph 27 of Schedule 1</p>

<p>the first person took reasonable care to avoid the failure;</p> <p>(c) where a person had a reasonable excuse for the failure but the excuse has ceased, the person is to be treated as having continued to have the excuse if the failure is remedied without unreasonable delay after the excuse ceased.</p>	
<p>127 Assessment of penalties under Chapter 2</p> <p>(1) Where a person becomes liable to a penalty under this Chapter, WRA must—</p> <p>(a) assess the penalty,</p> <p>(b) issue notice to the person of the penalty assessed, and</p> <p>(c) state in the notice the period [, transaction or amount] in respect of which the penalty has been assessed.</p> <p>(2) An assessment of a penalty under this Chapter may be combined with an assessment to a devolved tax.</p> <p>(3) A supplementary assessment may be made in respect of a penalty under section 119 or 120, <u>120 or 120F</u> if an earlier assessment operated by reference to an underestimate of the amount of devolved tax to which a person would have been liable if a tax return had been made.</p> <p>(4) If—</p> <p>(a) an assessment in respect of a penalty under section 119 or 120, <u>120 or 120F</u> is based on the amount of devolved tax to which a person would have been liable if a tax return had been made, and</p> <p>(b) that liability is found by WRA to be excessive,</p> <p>(c) WRA may issue a notice to the person liable to the penalty amending the assessment so that it is based on the correct amount.</p> <p>(5) A supplementary assessment may be made in respect of a penalty under section 122 [, 122ZA] [or 122A], <u>122ZA, 122A or 122B</u> if an earlier assessment operated by reference to an underestimate of the amount of devolved tax which was payable.</p> <p>(6) If an assessment in respect of a penalty under section 122 [, 122ZA] [or 122A], <u>122ZA, 122A or 122B</u> is based on an amount of tax payable that is found by WRA to be excessive, WRA may issue a notice to the person liable</p>	<p>Paragraph 28 of Schedule 1</p>

<p>to the penalty amending the assessment so that it is based on the correct amount.</p> <p>(6A) A supplementary assessment may be made in respect of a penalty under section 123A if an earlier assessment operated by reference to an underestimate of the amount payable in respect of the tax credit in question.</p> <p>(6B) If an assessment in respect of a penalty under section 123A is based on an amount that is found by WRA to be excessive, WRA may issue a notice to the person liable to the penalty amending the assessment so that it is based on the correct amount.</p> <p>(7) An amendment made under subsection (4), (6) or (6B)—</p> <ul style="list-style-type: none"> (a) does not affect when the penalty must be paid, and (b) may be made after the last day on which the assessment in question could have been made under section 128. 	
<p>128 Time limit for assessment of penalties under Chapter 2</p> <p>(1) An assessment of a penalty under this Chapter ... must be made on or before the later of date A and (where it applies) date B.</p> <p>(2) Date A is the last day of the period of 2 years beginning with—</p> <ul style="list-style-type: none"> (a) in the case of failure to make a tax return, the <u>filing date other than where liability to the penalty arises under section 120B, ...</u> <u>(aa) in the case of liability to a penalty under section 120B (financial penalty where penalty points have been awarded), the filing date of the return in relation to which the penalty point that caused the visitor accommodation provider to reach the penalty threshold was awarded,</u> (b) in the case of failure to pay a devolved tax, the penalty date, or (c) in the case of a failure to pay an amount payable in respect of a tax credit, the penalty date. <p>(3) Date B is the last day of the period of 12 months beginning with—</p> <ul style="list-style-type: none"> (a) in the case of a failure to make a tax return— 	<p>Paragraph 29 of Schedule 1</p>

<p>(i)the end of the appeal period for the assessment of the amount of devolved tax to which a person would have been liable if the tax return had been made, or (ii)if there is no such assessment, the date on which that liability is ascertained or it is ascertained that the liability is nil;</p> <p>(b) in the case of a failure to pay a devolved tax— (i)the end of the appeal period for the assessment of the amount of devolved tax in respect of which the penalty is assessed, or (ii)if there is no such assessment, the date on which that amount of devolved tax is ascertained.</p> <p>(4) in the case of a failure to pay an amount payable in respect of a tax credit, the end of the appeal period for the assessment of the amount in respect of which the penalty is assessed.</p> <p>(5) In subsection (2)(b), “penalty date” has the meaning given by section 122(3), (4A)In subsection (2)(c), “penalty date” has the meaning given by section 123A(3).]</p> <p>(6) In subsection (3) ..., “appeal period” means ...— (a) if no appeal is made, the period during which an appeal could be made, and (b) if an appeal is made, the period ending with its final determination or withdrawal.</p>	
<p style="text-align: center;">PART 8</p> <p style="text-align: center;">REVIEWS AND APPEALS</p> <p style="text-align: center;">CHAPTER 1</p> <p style="text-align: center;">INTRODUCTORY</p> <p><i>Appealable decisions</i></p> <p>172 Appealable decisions</p> <p>(1) A person to whom an appealable decision applies— (a) may request a review of the decision (subject to subsection (4)), and (b) may appeal against the decision, in accordance with the following provisions of this Part.</p>	

<p>(2) The following decisions by WRA are appealable decisions—</p> <ul style="list-style-type: none"> (a) a decision which affects whether a person is chargeable to a devolved tax; (b) a decision which affects the amount of a devolved tax to which a person is chargeable; (c) a decision which affects the day by which an amount of a devolved tax must be paid; (d) a decision about a penalty relating to a devolved tax; <u>(da) a decision relating to a penalty point for failure to make a visitor levy return (within the meaning of Part 5);</u> <u>(db) a decision to issue a taxpayer notice, or to include a particular requirement in such a notice, where the tribunal did not approve the issuing of the notice</u> (e) a decision to issue an information notice or to include a particular requirement in such a notice. (f) a decision to issue a notice under paragraph 14 of Schedule 16 to LTTA (recovery of group relief: notice requiring payment by another group company or controlling director); (g) (g)a decision to issue a notice under paragraph 9 of Schedule 17 to that Act (recovery of reconstruction or acquisition relief: notice requiring payment by another group company or controlling director);] (h) a decision relating to the method to be used by the operator of an authorised landfill site to determine the weight of material for the purposes of landfill disposals tax; (i) a decision relating to the registration of a person for the purposes of landfill disposals tax; (j) a decision relating to the designation of a non-disposal area for the purposes of landfill disposals tax; (k) a decision relating to the designation of a group of bodies corporate for the purposes of landfill disposals tax; (l) a decision relating to a tax credit in respect of landfill disposals tax. <p>(2A) In subsection (2), “operator”, “authorised landfill site”, “registration” and “non-disposal area” have the same meanings as in LDTA.</p> <p>(3) But the following decisions are not appealable decisions—</p>	<p>Paragraph 30 of Schedule 1</p>
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<p>(a) a decision to issue a notice of enquiry under section 43 or 74;</p> <p>(b) a decision to issue—</p> <p>(i) a taxpayer notice <u>where the tribunal approved the issuing of the notice</u>, or</p> <p>(ii) a third party notice to which section 90(3) applies;</p> <p>(c) a decision to include a particular requirement in—</p> <p>(i) a taxpayer notice <u>where the tribunal approved the issuing of the notice</u>, or</p> <p>(ii) a third party notice to which section 90(3) applies.</p> <p>(4) Where the tribunal has approved the issuing of an information notice, a person may not request a review of WRA's decision to issue the notice.</p> <p>(5) Where a review may be requested, or an appeal made, in respect of a decision to issue an information notice or include a requirement in such a notice, it may be requested or made only on the following grounds—</p> <p>(a) that it is unreasonable to require the person to whom the notice was issued to comply with the notice or requirement;</p> <p>(b) that a provision of sections 97 to 102 prevents the notice from requiring the person to provide the information or produce the document;</p> <p>(c) in the case of an identification notice issued under section 92 or a debtor contact notice issued under section 93, that condition 4 of that section has not been met.</p> <p>(6) In the case of a decision to issue an information notice or to include a particular requirement in such a notice, the person to whom the decision applies for the purposes of subsection (1) is the person to whom the notice was issued.</p> <p>(7) The Welsh Ministers may by regulations—</p> <p>(a) modify this section to—</p> <p>(i) add a decision to subsection (2) or (3);</p> <p>(ii) vary the description of a decision in either of those subsections;</p> <p>(iii) remove a decision from either of those subsections;</p> <p>(b) amend this Part in order to make provision about the grounds on which a review may be requested, or an appeal made, in respect of an appealable decision.</p>	
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<p style="text-align: center;">PART 10</p> <p style="text-align: center;">FINAL PROVISIONS</p> <p>187A Crown application for the purposes of Land Transaction Tax</p> <p>(1) In so far as the following provisions of this Act apply to land transaction tax, they bind the Crown—</p> <ul style="list-style-type: none"> (a) Part 3; (b) Part 4 (other than Chapter 6); (c) Part 6 (other than sections 157A, 160 and 161(2)(b)); (d) Part 7 (other than sections 168, 169 and 170); (e) Part 8 (other than sections 172(1)(d) and (e), (3)(b) and (c), (4), (5) and (6), 182 and 183); (f) sections 190 and 191. <p>(2) But Part 4 does not apply to Her Majesty in Her private capacity (within the meaning of section 38(3) of the Crown Proceedings Act 1947 (c. 44)).</p> <p><u>187B Crown application for the purposes of the visitor levy</u></p> <p>(1) <u>This Act, in so far as it applies in relation to the visitor levy, binds the Crown.</u></p> <p>(2) <u>This Act, in so far as it applies in relation to the visitor levy, does not make the Crown criminally liable, but it applies to persons in the service of the Crown as it applies to other persons.</u></p> <p>(3) <u>In subsections (1) and (2), references to “this Act” include a reference to an enactment made under this Act.</u></p>	<p style="text-align: center;">Paragraph 31 of Schedule 1</p>
<p>189 Regulations</p> <p>(1) Any power to make regulations under this Act—</p> <ul style="list-style-type: none"> (a) is exercisable by statutory instrument, and (b) includes power to make different provision for different purposes. <p>(2) A statutory instrument containing regulations under section 18(2), 24A(5) [122(5),] 156 or 172(7) (whether alone or with any other provision) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.</p>	<p style="text-align: center;">Paragraph 32 of Schedule 1</p>

<p>(3) Any other statutory instrument containing regulations under this Act is subject to annulment in pursuance of a resolution of the National Assembly for Wales.</p>	
<p>190 Issue of notices by WRA</p> <p>(1) This section applies where a provision of <u>the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 00)</u>, the Welsh Tax Acts, or of regulations made under them,] authorises or requires WRA to issue a notice to a person (whether the expression “issue” or any other expression is used) (but see subsection (9)).</p> <p>(1A) A notice must specify the day on which it is issued.</p> <p>(1B) If the person to whom the notice is issued cannot reasonably ascertain the effect of the notice because of a mistake in it or omission from it (including a mistake or omission relating to the person's name), the notice is to be treated as not having been issued.</p> <p>(2) The notice may be issued to the person—</p> <ul style="list-style-type: none"> (a) by being delivered personally to the person, (b) by leaving it at the person's proper address, (c) by being sent by post to the person's proper address, or (d) where subsection (3) applies, by sending it electronically to an address provided for that purpose. <p>(3) This subsection applies where the person to whom the notice is to be issued has agreed in writing that it may be sent electronically.</p> <p>(4) For the purposes of subsection (2)(a), a notice may be delivered personally to a body corporate by giving it to the secretary or clerk of that body.</p> <p>(5) Where WRA issues a notice in the manner mentioned in subsection (2)(b), the notice is to be treated as having been received at the time it was left at the person's proper address unless the contrary is shown.</p> <p>(6) For the purposes of subsection (2)(b) and (c), the proper address of a person is—</p> <ul style="list-style-type: none"> (a) in the case of a body corporate <u>either -</u> <ul style="list-style-type: none"> (i) <u>the address of the registered or principal office of the body, or</u> 	<p>Paragraph 33 of Schedule 1</p>

<p>(ii) <u>where the most recent tax return made by the body to WRA contains an address purporting to be the body's address, that address;</u></p> <p>(b) in the case of a person acting in his or her capacity as a partner in a partnership <u>either-</u></p> <p>(i) <u>the address of the principal office of the partnership, or</u></p> <p>(ii) <u>where the most recent tax return made by the partnership to WRA contains an address purporting to be the partnership's address, that address;</u></p> <p>(c) in any other case, the last known address of the person.</p> <p>(7) Where WRA issues a notice in the manner mentioned in subsection (2)(c) by sending it to an address in the United Kingdom, the notice is to be treated as having been received 48 hours after it is sent unless the contrary is shown.</p> <p>(8) Where WRA issues a notice in the manner mentioned in subsection (2)(d), the notice is to be treated as having been received 48 hours after it is sent unless the contrary is shown.</p> <p>(9) This section does not apply to any notice that WRA may—</p> <p>(a) provide to a person under section 103(4) or 105(3) [(including any notice provided under section 103(4) as applied by sections 103A(4) and 103B(5))], or</p> <p>(b) give to the tribunal.</p> <p>(10) In this section “notice” includes a copy of a notice.</p>	
<p>191 Giving notices and other documents to WRA</p> <p>(1) This section applies where a provision of <u>the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 00)</u>, [the Welsh Tax Acts, or of regulations made under them,] requires or permits a person [to make a tax return or] to give a notice or other document to WRA (whether the expression “give” or any other expression is used) (but see subsection (4)).</p> <p>(2) The tax return, notice or other document must—</p> <p>(a) be in such form,</p> <p>(b) contain such information,</p> <p>(c) be accompanied by such other documents, and</p>	

<p>(d) be given in such manner, as may be specified by WRA.</p> <p>(3) But subsection (2) is subject to any different provision made in or under the <u>Welsh Tax Acts or the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025</u>.</p> <p>(4) This section does not apply to any document given to WRA by the Welsh Ministers or the tribunal.</p>	<p>Paragraph 34 of Schedule 1</p>
<p>192 Interpretation</p> <p>(1) For the purposes of this Act, an appeal or referral is finally determined when—</p> <ul style="list-style-type: none"> (a) it has been determined, and (b) there is no further possibility of the determination being varied or set aside (disregarding any power to grant permission to appeal out of time). <p>(2) In this Act—</p> <p>“buyer” (“<i>prynwr</i>”) has the same meaning as in LTTA;</p> <p>“contract settlement” (“<i>setliad contract</i>”) means an agreement made in connection with any person's liability to make a payment to WRA under any enactment;</p> <p>“devolved tax” (“<i>treth ddatganoledig</i>”) has the meaning given by section 116A(4) of the Government of Wales Act 2006 (c. 32);</p> <p>“devolved taxpayer” (“<i>trethdalwr datganoledig</i>”) means a person liable to pay a devolved tax;</p> <p>“enactment” (“<i>deddfiad</i>”) means an enactment (whenever enacted or made) which is, or is contained in—</p> <ul style="list-style-type: none"> (a) an Act of Parliament, (b) an Act or a Measure of the National Assembly for Wales, or (c) subordinate legislation (within the meaning of the Interpretation Act 1978 (c. 30)) made under— <ul style="list-style-type: none"> (i) an Act of Parliament, or (ii) an Act or a Measure of the National Assembly for Wales; <p>“financial year” (“<i>blwyddyn ariannol</i>”) means—</p>	

<p>(a) the period beginning with the establishment of WRA and ending with 31 March in the following year, and</p> <p>(b) each subsequent period of a year ending with 31 March;</p> <p>[“landfill disposals tax” (“<i>treth gwarediadau tirlenwi</i>”) has the same meaning as in LDТА;]</p> <p>[“land transaction” (“<i>trafodiad tir</i>”) has the same meaning as in LTТА;]</p> <p>[“LDТА” (“<i>DTGT</i>”) means the Landfill Disposals Tax (Wales) Act 2017 (anaw 3);]</p> <p>“local authority” (“<i>awdurdod lleol</i>”) means—</p> <p>(a) a county council or county borough council in Wales,</p> <p>(b) a district council or county council in England, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly,</p> <p>(c) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39), or</p> <p>(d) a district council in Northern Ireland;</p> <p>[“LTТА” (“<i>DTTT</i>”) means the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017 (anaw 0);]</p> <p>“notice” (“<i>hysbysiad</i>”) means notice in writing;</p> <p>“partnership” (“<i>partneriaeth</i>”) means—</p> <p>(a) a partnership within the Partnership Act 1890 (c. 39),</p> <p>(b) a limited partnership registered under the Limited Partnerships Act 1907 (c. 24), or</p> <p>(c) a firm or entity of a similar character formed under the law of a country or territory outside the United Kingdom;</p> <p><u>“principal council” (“<i>prif gyngor</i>”) means a council for a county or a borough council in Wales;</u></p> <p>[“tax credit” (“<i>credyd treth</i>”) means a tax credit under regulations made under section 54 of LDТА;]</p> <p>“tax period” (“<i>cyfnod treth</i>”) means a period in respect of which a devolved tax is charged;</p>	<p>Paragraph 35 of Schedule 1</p>
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<p>“tax return” (“<i>ffurflen dreth</i>”) means a return relating to a devolved tax;</p> <p><u>“taxpayer” (“<i>trethdalwr</i>”) means a person liable to pay a WRA-collected tax;</u></p> <p>[“TCEA” (“<i>DTLIG</i>”) means the Tribunals, Courts and Enforcement Act 2007 (c. 15);]</p> <p>“the tribunal” (“<i>y tribiwnlys</i>”) means—</p> <p style="padding-left: 40px;">(a) the First-tier Tribunal, or (b) where determined by or under Tribunal Procedure Rules, the Upper Tribunal.</p> <p>[“the Welsh Tax Act” (“<i>Deddfau Trethi Cymru</i>”) means—</p> <p style="padding-left: 40px;">(a) this Act, ... (b) LTТА][, and (c) LDТА.]</p> <p><u>“visitor levy” (“<i>ardoll ymwelwyr</i>”) has the same meaning as in the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 00);</u></p> <p><u>“WRA-collected tax” (“<i>treth a gesglir gan ACC</i>”) means—</u></p> <p style="padding-left: 40px;"><u>(a) a devolved tax, or</u> <u>(b) the visitor levy.”;</u></p> <p>(3) <u>For the purposes of this Act, a principal council has decided to introduce the visitor levy if it has published a notice under section 27 of the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 00) stating that it is going to introduce the visitor levy.</u></p>	
<p>193 Index of defined expressions</p> <p>The following Table lists expressions defined or otherwise explained in this Act.</p> <p>N.B. AMENDED TABLE 1 IS AT THE END OF THE SCHEDULE OF AMENDMENTS</p>	

122 Penalty for failure to pay tax on time Table A1

TABLE A1

Item	Devolved Tax	Amount of Tax	Penalty date
1	Land transaction tax	Amount (or additional amount) payable as a result of a tax return made by the buyer in a land transaction (unless the amount falls within item 8 or 9).	The date falling 30 days after the filing date for the return.
2	Landfill disposals tax	Amount [payable as a result of] a tax return.	The date falling 30 days after the filing date for the return.
<u>2A</u>	<u>Visitor Levy</u>	<u>Amount payable as a result of a visitor levy return.</u>	<u>The date falling 30 days after the filing date for the visitor levy return.</u>
3	Any devolved tax	Amount payable as a result of a WRA determination made in place of a tax return.	The date falling 30 days after the date by which WRA believes the tax return was required to be made.
4	Any devolved tax	Amount payable as a result of a WRA assessment made in place of a tax return (unless the amount falls within item 7).	The date falling 30 days after the date by which WRA believes the tax return was required to be made.
5	Any devolved tax	Amount (or additional amount) payable as a result of a WRA assessment made where a tax return has been made.	The date falling 30 days after the date by which the amount (or additional amount) is required to be paid.
6	Any devolved tax	Amount (or additional amount) payable as a result of an amendment or a correction to a tax return.	The date falling 30 days after the date by which the amount (or additional amount) is required to be paid.
7	Any devolved tax	Amount (or additional amount) payable as a result of a WRA assessment made for the purposes of making an adjustment to counteract a tax advantage (see Part 3A) in a case where a tax return which WRA has reason to believe was required to be made has not in fact been made.	The date falling 30 days after the date by which the amount (or additional amount) is required to be paid.

Please note: this document has been prepared solely to assist people in understanding the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill. It should not be relied on for any other purpose.

8	Land transaction tax	Where a deferral request is made under section 58 of LTTA, a deferred amount required to be paid by virtue of section 61(1) of that Act.	The date falling 30 days after the date by which the deferred amount is required to be paid.
9	Land transaction tax	Where a deferral request is made under section 58 of LTTA, a refused amount within the meaning of section 61(2)(a) of that Act.	The date falling 30 days after the date by which the refused amount is required to be paid.
10	Landfill disposals tax	Amount charged by a charging notice issued under section [49 or 50] of LDTA.	The date falling 30 days after the date by which the amount is required to be paid.
11	Any devolved tax	A postponed amount within the meaning of section 181G(2).	The date falling 30 days after the date on which the postponement period ends (see section 181G as to the calculation of postponement periods).

193 Index of defined expressions

The following Table lists expressions defined or otherwise explained in this Act.

TABLE 1

Expression	Section
Appealable decision (“ <i>penderfyniad apeladwy</i> ”)	section 172(2) and (3)
[Arrangement (in relation to the general anti-avoidance rule) (“ <i>trefniant</i> ”)]	[section 81B(3)A]
[Artificial (in relation to the general anti-avoidance rule) (“ <i>artiffisial</i> ”)]	[section 81C]
Business assets (“ <i>asedau busnes</i> ”)	section 111
Business documents (“ <i>dogfennau busnes</i> ”)	section 111
Business premises (“ <i>mangre busnes</i> ”)	section 111
[Buyer (“ <i>prynwr</i> ”)]	[section 192(2)]
Carrying on a business (“ <i>rhedeg busnes</i> ”)	section 85

Charity (“ <i>elusen</i> ”)	section 85(3)
Closure notice (“ <i>hysbysiad cau</i> ”)	section 50(1) (in relation to an enquiry into a tax return) and section 75(1) (in relation to an enquiry into a claim)
Contract settlement (“ <i>setliad contract</i> ”)	section 192(2)
Debtor contact notice (“ <i>hysbysiad cyswllt dyledwr</i> ”)	section 93(1)
Devolved tax (“ <i>treth ddatganoledig</i> ”)	section 192(2) <u>section 81B(3)(c)</u>
<u>Devolved tax return (“<i>ffurflen treth ddatganoledig</i>”)</u>	<u>section 117A(1)</u>
Devolved taxpayer (“ <i>trethdalwr datganoledig</i> ”)	section 192(2) <u>section 81B(3)(c)</u>
Elected executive member (“ <i>aelod gweithredol etholedig</i> ”)	section 3(4)(c)
Enactment (“ <i>deddfiad</i> ”)	section 192(2)
Executive member (“ <i>aelod gweithredol</i> ”)	section 3(4)(b)
Filing date (“ <i>dyddiad ffeilio</i> ”)	section 40
[Final counteraction notice (“<i>hysbysiad gwrthweithio terfynol</i>”)]	[section 81G]
Financial year (“ <i>blwyddyn ariannol</i> ”)	section 192(2)
[General anti-avoidance rule (“<i>rheol gwrthweithio osgoi trethi cyffredinol</i>”)]	[section 81A(2)]
Identification notice (“ <i>hysbysiad adnabod</i> ”)	section 92(1)
Information notice (“ <i>hysbysiad gwybodaeth</i> ”)	section 83
[Landfill disposals tax (“<i>treth gwarediadau tirlenwi</i>”)]	[section 192(2)]
[Land transaction (“<i>trafodiad tir</i>”)]	[section 192(2)]
Late payment interest (“ <i>llog taliadau hwyr</i> ”)	section 157(2)
Late payment interest rate (“ <i>cyfradd llog taliadau hwyr</i> ”)	section 163(1)
Late payment interest start date (“ <i>dyddiad dechrau llog taliadau hwyr</i> ”)	sections 157(3), 159(2) and 160(2)
[LDTA (“<i>DTGT</i>”)]	[section 192(2)]

Local authority (“ <i>awdurdod lleol</i> ”)	section 192(2)
[LTTA (“ <i>DTTT</i> ”)]	[section 192(2)]
Non-executive member (“ <i>aelod anweithredol</i> ”)	section 3(4)(a)
Notice (“ <i>hysbysiad</i> ”)	section 192(2)
Notice of enquiry (“ <i>hysbysiad ymholiad</i> ”)	section 43(1) (in relation to a tax return) and section 74(1) (in relation to a claim)
Notice of request (“ <i>hysbysiad am gais</i> ”)	section 173(1)
Partnership (“ <i>partneriaeth</i> ”)	section 192(2)
Penalty date (“ <i>dyddiad cosbi</i> ”)	section 122(2)
Potential lost revenue (“ <i>refeniw posibl a gollir</i> ”)	section 134
Premises (“ <i>mangre</i> ”)	section 111
<u>Principal council (“<i>prif gyngor</i>”)</u>	<u>section 192(2)</u>
<u>Principal council that has decided to introduce the visitor levy (“<i>prif gyngor sydd wedi penderfynu cyflwyno’r ardoll ymwelwyr</i>”)</u>	<u>section 192(3)]</u>
Proposed counteraction notice (“ <i>hysbysiad gwrthweithio arfaethedig</i> ”)	section 81F
Protected taxpayer information (“ <i>gwybodaeth warchoddedig am drethdalwr</i> ”)	section 17(3) and (4)
Relevant official (“ <i>swyddog perthnasol</i> ”)	section 17(2)
Repayment interest (“ <i>llog ad-daliadau</i> ”)	section 161(3)
Repayment interest rate (“ <i>cyfradd llog ad-daliadau</i> ”)	section 163(2)
Repayment interest start date (“ <i>dyddiad dechrau llog ad-daliadau</i> ”)	section 161(4)
Settlement agreement (“ <i>cytundeb setlo</i> ”)	section 184(1)
[Tax advantage (“ <i>mantais drethiannol</i> ”)]	[section 81D]
[Tax avoidance arrangement (“ <i>trefniant osgoi trethi</i> ”)]	[section 81B]
[Tax credit (“ <i>credyd treth</i> ”)]	[section 192(2)]
Tax period (“ <i>cyfnod treth</i> ”)	section 192(2)

Please note: this document has been prepared solely to assist people in understanding the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill. It should not be relied on for any other purpose.

Tax position (“ <i>sefyllfa dreth</i> ”)	section 84
Tax return (“ <i>ffurflen dreth</i> ”)	section 192(2)
<u>Taxpayer (“<i>trethdalwr</i>”)</u>	<u>section 192(2)</u>
Taxpayer notice (“ <i>hysbysiad trethdalwr</i> ”)	section 86(1)
[TCEA (“ <i>DTLIG</i> ”)]	[section 192(2)]
Third party notice (“ <i>hysbysiad trydydd parti</i> ”)	section 87(1)
The tribunal (“ <i>y tribiwnlys</i> ”)	section 192(2)
Unidentified third party notice (“ <i>hysbysiad trydydd parti anhysbys</i> ”)	section 89(1)
<u>Visitor accommodation provider (“<i>darparwr llety ymwelwyr</i>”)</u> and “ <u>VAP</u> ” (“ <i>DLIY</i> ”)	<u>section 117A(1)</u>
<u>Visitor levy (“<i>ardoll ymwelwyr</i>”)</u>	<u>section 192(2)</u>
<u>Visitor levy return (“<i>ffurflen ardoll ymwelwyr</i>”)</u>	<u>section 117A(1)</u>
[Welsh Tax Acts (“ <i>Deddfau Trethi Cymru</i> ”)]	[section 192(2)]
WRA (“ <i>ACC</i> ”)	section 2(2)
WRA assessment (“ <i>asesiad ACC</i> ”)	section 56
<u>WRA-collected tax (“<i>treth a gesglir gan ACC</i>”)</u>	<u>section 192(2)</u>
WRA determination (“ <i>dyfarniad ACC</i> ”)	section 52(3)

ANNEX 4 - VISITOR LEVY REVENUE ESTIMATE WORKINGS

Workings

Please note that some of the calculations presented below may not sum precisely, as for accuracy, the totals presented have been based on the use of unrounded values.

Levy rates assumed in calculations

Lower rate: £0.75 per person per night for tents on campsites / hostel accommodation

Higher rate: £1.25 per person per night for all other accommodation types

Wales - Total Nights^[1]

From the Great Britain Tourism Survey (GBTS) (2017 – 2019, 3-year rolling average):

(L) **Domestic overnight stays in Wales** = 33.898 million nights

From the International Passenger Survey (IPS) (2017 – 2019, 3-year rolling average):

(L) **International overnight stays in Wales** = 7.198 million nights

(L) **Total nights spent in Wales** therefore = (A) + (B)
= 33.898 + 7.198
= 41.096 million

Wales – Estimated total nights in commercial accommodation

From the GBTS:

Domestic overnight stays in Wales labelled as occurring within 'Own home / friend's home / relative's home / static caravan owned' have been ignored, as assumed to be outside the scope of the visitor levy. These nights account for around 30% of domestic overnight stays in Wales (this proportion is based on a 3-year average for the period 2017-2019).

(L) **Estimated domestic overnight stays in commercial accommodation in Wales** = (A) x (1 – 30%)
= 33.898 x 70%
= 23.729 million

From the IPS:

There are no breakdowns of international overnight stays in Wales by type of visitor accommodation. UK level data have therefore been used, which show that around 44% of international overnight stays in the UK occur as nights spent as a 'free guest with relatives or friends' or as nights spent in a person's 'own home'. (As before, this proportion is based on a 3-year average for the period 2017-2019, and in the absence of Wales-specific data, is assumed to hold true for Wales).

(L) **Estimated international overnight stays in commercial accommodation in Wales** = (B) x (1 – 44%)
= 7.198 x 56%
= ~ 4.059 million

(L) **Estimated total nights in commercial accommodation in Wales** therefore = (D) + (E)
= 23.729 + 4.059
= ~ **27.787 million**

Wales - Estimated commercial nights spent in tents on campsites and in hostels

From the GBTS:

Of estimated domestic overnight stays in commercial accommodation in Wales (see (D) above), GBTS data for 2017-2019 suggest that around 9% of these nights occur in tents and 1% occur in hostels. (These proportions are based on 3-year averages for the period 2017 - 2019).

(L) **Estimated domestic commercial nights in tents and hostels in Wales** = (D) x 10%
= 23.729 x 10%
= ~ 2.245 million

From the IPS:

Of estimated international overnight stays in commercial accommodation in Wales (see (E) above), IPS data at the UK level have been used to estimate the number of nights that occur in tents and in hostels (as there are no equivalent breakdowns available for Wales). The UK data show that around

12% of international nights in commercial accommodation occur in '*hostel / university / school*' accommodation and 2% of international nights occur in '*camping / caravan*' accommodation in the UK. (These proportions are based on 3-year averages for the period 2017 – 2019, and are assumed to hold true for Wales in the absence of Wales-specific data). It has been assumed that international nights in '*hostel / university / school*' accommodation would be charged at the lower levy rate, and that only half (i.e. 50%) of the international nights occurring in '*camping / caravan*' accommodation would be charged the lower rate^[2].

(L) **Estimated international commercial nights in tents/hostels in Wales** = (E) x (12% + (0.5 x 2%))

= 4.059 x 13%

= ~ 0.542 million

(L) **Estimated total commercial nights spent in tents on campsites and in hostels in Wales** = (G) + (H)

= 2.245 + 0.542

= 2.787 million

Revenue Estimate

(L) Estimated revenues from the lower rate in Wales = (I) x £0.75

= 2.787 x £0.75

= £2.090 million

(L) Estimated revenues from the higher rate in Wales = ((F) – (I)) x £1.25

= (27.787 – 2.787) x £1.25

= 25.001 x £1.25

= £31.251 million

(L) **Total Estimated Levy Revenues in Wales** = (J) + (K)

= £2.090 + £31.251

= £33.341 million

As noted in the EMRIA, the above revenue estimate should be viewed as a maximum, as it does not include an allowance for:

- (iv) a behavioural response by visitors towards the levy,
- (iv) the impact of any exemptions that may be included,
- (iv) the cost of collecting the levy, and further
- (iv) it also assumes full compliance with the levy by accommodation providers.

^[1] [Regional and local tourism profiles: 2017 to 2019 | GOV.WALES](#)

^[2] Other assumptions could have been explored here. For example, it could have been assumed that only a third of the international nights in '*hostel / university / school*' accommodation might be charged at the lower levy rate, and that those in '*university / school*' accommodation would be charged at the higher levy rate. The impact on total revenues from the levy in this instance due to this alternative assumption would however be relatively minor (e.g. increasing total revenues from the levy in Wales by less than £0.2 million per year).