

SL(6)433 – The Non-Domestic Rating (Improvement Relief) (Wales) Regulations 2023

Background and Purpose

These Regulations have effect for the purposes of determining eligibility for, and calculating the amount of, improvement relief from non-domestic rating liability. They specify the conditions that must be satisfied to be eligible for improvement relief; define the meaning of “qualifying improvement works” for the purpose of determining eligibility for improvement relief; set the amount of “G” which determines the amounts of relief to be given to particular hereditaments whose chargeable amounts are calculated in accordance with specific formulae; and make provision requiring the appropriate valuation officer to certify rateable values for the purposes of the application of these Regulations.

The Explanatory Memorandum to the Regulations states that they are intended to incentivise investment in property improvements by providing ratepayers with a 12-month period of relief from the effect on their non-domestic rates liability of increases in rateable value that would otherwise occur.

Procedure

Negative.

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

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

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

The Committee notes that these Regulations relate to Schedules 4ZA and 5A (“the Schedules”) to the Local Government Finance Act 1988 (“the 1988 Act”) but that the Schedules are not yet effective. The Schedules have been inserted into the 1988 Act by the Non-Domestic Rating Act 2023 (“the 2023 Act”). Under section 19(2) of the 2023 Act, the Schedules will have effect in relation to financial years beginning on or after 1 April 2024.



These Regulations come into force on 1 April 2024 to tie in with when the Schedules come into effect.

Welsh Government response

A Welsh Government response is not required.

Committee Consideration

The Committee considered the instrument at its meeting on 15 January 2024 and reports to the Senedd in line with the reporting point above.



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament

Legislation, Justice and Constitution Committee