

Explanatory Memorandum to the Non-Domestic Demand Notice (Wales) (Amendment) Regulations 2015

This Explanatory Memorandum has been prepared by the Local Government and Communities Directorate and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Non-Domestic Rating Demand Notice (Wales) (Amendment) Regulations 2015.

Leighton Andrews
MINISTER FOR PUBLIC SERVICES
9 MARCH 2015

1. Description

Billing Authorities are required to serve Non-Domestic Rates demand notices under the Non-Domestic Rating (Demand Notices) (Wales) Regulations 1993 (“1993 Regulations”). The Non-Domestic Rating (Demand Notices) (Wales) (Amendment) Regulations 2015 (the 2015 Regulations) amend the prescribed explanatory information (set out in Schedule 2 of the 1993 Regulations) which Billing Authorities are required to supply to ratepayers to assist them in understanding their rates bills. The 2015 Regulations ensure that the explanatory information that Billing Authorities are required to make available to accompany demand notices is up-to-date.

2. Legislative background

The Non-Domestic Rating (Demand Notices) (Wales) Regulations 1993 (SI 1993/252) (Schedule 2) provides the contents of non-domestic rates demand notices, which are issued by Billing Authorities (County and County Borough Councils) in Wales.

The 2015 Regulations will only apply in relation to non-domestic rates payable after 31 March 2015.

The Regulations will follow the negative resolution procedure which means that they will be made and laid before the National Assembly for Wales but will not be brought into force for 21 days from the date of laying.

3. Matters of special interest to the Constitutional and Legislative Affairs Committee

There are no matters of special interest to the Committee.

4. Purpose and intended effect of the legislation

It is necessary to revise the explanatory information that accompanies demand notices which Billing Authorities are required to supply (in either paper or electronic format) following the making of the Non-Domestic Rating (Small Business Relief) (Wales) Order 2015 (“the 2015 Order”).

The 2015 Order replaced the Non-Domestic Rating (Small Business Relief) (Wales) Order 2008 (“the 2008 Order”), which is currently referred to in the explanatory information. As a result, the 2015 Regulations remove the reference to the 2008 Order and replaces it with a reference to the 2015 Order.

5. Consultation

No consultation has been undertaken. The 2015 Regulations make minor amendments to the current explanatory information supplied; as a result they are only of interest to Billing Authorities and have no effect on ratepayers. They are technical in nature and merely ensure that the information which Billing Authorities send with demand notices is up-to-date. Amendments to the 1993 Regulations are made on a frequent basis.

6. Regulatory Impact Assessment

The 2015 Regulations make routine amendments which are made periodically to update the explanatory information that Billing Authorities are required to supply with demand notices. They are technical in nature, of interest only to Billing Authorities and have limited effect on ratepayers. As a result of the amendments, ratepayers will be informed of the correct reference to the 2015 Order. As such, a regulatory impact assessment has not been prepared.