

2014 No. 554 (W. 66)

**LOCAL GOVERNMENT,
WALES**

**The Valuation Tribunal for Wales
(Wales) (Amendment) Regulations
2014**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Valuation Tribunal for Wales Regulations 2010 (“the 2010 Regulations”) that establish the Valuation Tribunal for Wales (“the Tribunal”) and make provision for its membership, administration and procedures.

The amendments take account of the introduction of local council tax reduction schemes made by billing authorities in accordance with the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 (“the 2013 Regulations”) or that apply in default by virtue of paragraph 6(1)(e) of Schedule 1B to the Local Government Finance Act 1992 (“the 1992 Act”).

Under section 16 of the 1992 Act, a person may appeal to the Tribunal if that person is aggrieved by a decision made by a billing authority about the amount of council tax that is payable and the 2010 Regulations enable the Tribunal to deal with appeals relating to council tax reduction schemes.

Regulation 2 of these Regulations amends the 2010 Regulations to reflect the replacement of the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012 with the 2013 Regulations.

Regulation 2 of these Regulations also amends the time limits in the 2010 Regulations so that decisions which affect a person’s entitlement to a reduction under a council tax reduction scheme which is in place on 1 April 2013 or the amount of any reduction under such a scheme will be dismissed unless the notice served under section 16(4) of the 1992 Act is served in accordance with the applicable time limits under the 2013 Regulations or the relevant scheme that applies

in default by virtue of paragraph 6(1)(e) of the 1992 Act.

Regulation 4 is a savings provision which provides that the amendments made by regulation 2 do not have effect in relation to any appeals made to the Tribunal in relation to any applications made or reductions awarded under the provisions of a scheme made under the 2013 Regulations or a scheme which applies in default on 1 April 2013.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

2014 No. 554 (W. 66)

**LOCAL GOVERNMENT,
WALES**

**The Valuation Tribunal for Wales
(Wales) (Amendment) Regulations
2014**

Made 7 March 2014

Laid before the National Assembly for Wales
10 March 2014

Coming into force 31 March 2014

The Welsh Ministers make the following Regulations in exercise of the powers conferred on the Secretary of State by sections 140(4) and 143(1) and (2) of, and paragraphs 1 and 8 of Schedule 11 to, the Local Government Finance Act 1988(1) and now vested in them(2).

PART 1

General

Title, commencement and application

1.—(1) The title of these Regulations is the Valuation Tribunal for Wales (Wales) (Amendment) Regulations 2014.

-
- (1) 1988 c.41. Relevant amendments were made to paragraph 1 of Schedule 11 to that Act by paragraphs 3 and 4(a) to (c) of Schedule 15 to the Local Government and Public Involvement in Health Act 2007 (c.28). Paragraph 8 of Schedule 11 to the Local Government Finance Act 1988 has been amended but the amendments are not relevant to these Regulations.
- (2) The functions of the Secretary of State under sections 140(4) and 143(1) and (2) of, and paragraphs 1 and 8 of Schedule 11 to, the Local Government Finance Act 1988 were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672). By virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32) those functions are now vested in the Welsh Ministers.

(2) These Regulations come into force on 31 March 2014 and apply in relation to Wales.

PART 2

Amendment

Amendment of Regulations

2.—(1) The Valuation Tribunal for Wales Regulations 2010⁽¹⁾ are amended as follows.

(2) In regulation 27 (interpretation), in the definition of “council tax reduction scheme” (*“cynllun gostyngiadau'r dreth gyngor”*), for “the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012”⁽²⁾ substitute “the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013”⁽³⁾.

(3) In regulation 29 (time limits)—

(a) in paragraph (2) for “When” substitute “Subject to paragraph (2A), when”;

(b) after paragraph (2) insert—

“(2A) When the condition mentioned in section 16(7)(c) is fulfilled and the appeal by the aggrieved person relates to a billing authority’s decision to award a reduction under its council tax reduction scheme, the appeal will be dismissed unless the notice required by section 16(4)⁽⁴⁾ was served on the billing authority in accordance with paragraph 8(2) of Schedule 12 to the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 or paragraph 8(2) of Schedule 1 of the scheme prescribed in the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013⁽⁵⁾, as the case may be.

PART 3

Savings

Interpretation

3. In this part of the Regulations—

-
- | | |
|-----|--|
| (1) | S.I. 2010/713 (W. 69) as amended by S.I. 2013/547 (W. 59). |
| (2) | S.I. 2012/3144 (W. 316) as amended by S.I. 2013/112 (W. 17). |
| (3) | S.I. 2013/3029 (W. 301). |
| (4) | The Local Government Finance Act 1992 (c.14). |
| (5) | S.I. 2013/3035 (W. 303) as amended by S.I. 2014/66 (W. 6). |

“2010 Regulations” (*“Rheoliadau 2010”*) means the Valuation Tribunal for Wales Regulations 2010;

“2012 Regulations” (*“Rheoliadau 2012”*) means the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012;

“2013 scheme” (*“cynllun 2013”*) means a scheme made by a billing authority in accordance with the 2012 Regulations or which applies in default on 1 April 2013 in accordance with paragraph 6(1)(e) of Schedule 1B to the Local Government Finance Act 1992⁽¹⁾; and

“Valuation Tribunal” (*“Tribiwnlys Prisio”*) means the Valuation Tribunal for Wales established under regulation 4 of the 2010 Regulations.

Saving provisions

4. The amendments made to the 2010 Regulations by regulation 2 do not have effect in relation to any appeals made to the Valuation Tribunal in relation to any applications made or reductions awarded under the provisions of a 2013 scheme.

Lesley Griffiths

Minister for Local Government and Government
Business, one of the Welsh Ministers

7 March 2014

(1) 1992 c.14. Schedule 1B to that Act was inserted by paragraph 1 of Part 1 of Schedule 4 to the Local Government Finance Act 2012 (c.17).