



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2004 Rhif 460 (Cy.45)

2004 No. 460 (W.45)

Y DRETH GYNGOR, CYMRU

COUNCIL TAX, WALES

**Rheoliadau'r Dreth Gyngor
(Hysbysiadau Galw am Dalu)
(Cymru) (Diwygio) 2004**

**The Council Tax (Demand Notices)
(Wales) (Amendment) Regulations
2004**

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

(This note is not part of the Regulations)

Mae Rheoliadau'r Dreth Gyngor (Hysbysiadau Galw am Dalu) (Cymru) 1993 ("y prif reoliadau") yn rhagnodi'r materion sydd i'w cynnwys mewn hysbysiadau sy'n galw am dalu'r dreth gyngor a'r wybodaeth sydd i'w darparu gyda'r hysbysiadau hynny.

The Council Tax (Demand Notices) (Wales) Regulations 1993 ("the principal regulations") prescribe the matters to be contained in and the information to be supplied with council tax demand notices.

Ym mharagraffau 5 a 6(1) o Atodlen 1 i'r prif Reoliadau, mae'r materion sydd i'w cynnwys mewn hysbysiadau o'r fath yn cynnwys datganiad o'r band prisio perthnasol ar gyfer yr annedd berthnasol a datganiad o swm y dreth gyngor sy'n gymwys i anheddau sy'n dod o fewn y band hwnnw mewn blwyddyn benodol, yn ôl eu trefn. Mae'r bandiau prisio perthnasol yn cael eu penderfynu drwy gyfeirio at restr brisio pob awdurdod bilio. Mae adran 77 (Cylch ailbrisio statudol) o Ddeddf Llywodraeth Leol 2003 ("Deddf 2003") yn mewnosod adran 22B yn Neddf Cyllid Llywodraeth Leol 1992 ("Deddf 1992"). Mae adran 22B yn darparu bod rhaid i restrau prisio newydd gael eu llunio mewn perthynas ag awdurdodau bilio yng Nghymru ar 1 Ebrill 2005 ac o dro i dro ar ôl hynny yn ôl yr hyn a bennir neu a ragnodir.

The matters to be contained in such notices include, at paragraphs 5 and 6(1) of Schedule 1 to the principal regulations respectively, a statement of the relevant valuation band as regards the relevant dwelling and a statement of the amount of council tax that applies to dwellings which fall within that band in a particular year. The relevant valuation bands are determined by reference to each billing authority's valuation list. Section 77 (Statutory revaluation cycle) of the Local Government Act 2003 ("the 2003 Act") inserts section 22B into the Local Government Finance Act 1992 ("the 1992 Act"). Section 22B provides that new valuation lists must be compiled in relation to billing authorities in Wales on the 1st of April 2005 and at subsequent specified or prescribed intervals.

Mae'r Rheoliadau hyn yn rhoi diffiniad newydd o'r band prisio perthnasol yn rheoliad 2 o'r prif reoliadau yn lle'r hen ddiffiniad. Mae effaith y diffiniad newydd fel a ganlyn: os yw rhestr brisio newydd i fod i ddod i rym ar gyfer blwyddyn benodol, yna rhaid canfod y band prisio perthnasol ar gyfer y flwyddyn honno drwy gyfeirio at y rhestr y bwriedir ei llunio fel y rhestr newydd neu drwy gyfeirio at wybodaeth ynglyn ag eiddo a ddangosir ar y rhestr arfaethedig i'r graddau y mae'n wahanol i'r wybodaeth sydd wedi'i chynnwys yn y rhestr arfaethedig.

These Regulations substitute a new definition of relevant valuation band in regulation 2 of the principal regulations. The effect of the new definition is that if a new valuation list is due to come into force for a particular year then the relevant valuation band for that year shall be ascertained by reference to the list proposed to be compiled as the new list or by reference to information relating to property shown in the proposed list to the extent that it differs from information contained in the proposed list.

Mae paragraff 7 o Atodlen 1 i'r prif reoliadau yn nodi'r darpariaethau o dan Ddeddf 1992 y mae'n rhaid i awdurdod bilio roi sylw iddynt wrth baratoi datganiad o'r diwrnodau (os oes rhai) y cyfrifir y swm y mae angen ei dalu o dan hysbysiad galw am dalu'r dreth gyngor yn unol â hwy. Mae Adran 76 (Pŵer awdurdod bilio i leihau swm y dreth sy'n daladwy) o Ddeddf 2003 yn mewnosod darpariaeth newydd yn Neddf 1992 (adran 13A). Mae Adran 13A yn rhoi disgrisiwn i awdurdod bilio, lle bo person yn atebol i dalu'r dreth gyngor ar gyfer unrhyw annedd drethadwy ac unrhyw ddiwrnod, i leihau'r swm y mae person yn atebol i'w dalu ar gyfer yr annedd a'r diwrnodau i'r graddau y gwêl yr awdurdod yn dda.

Mae'r Rheoliadau hyn yn diwygio paragraff 7 o Atodlen 1 i'r prif reoliadau fel bod rhaid i awdurdod bilio, wrth baratoi datganiad o'r diwrnodau (os oes rhai) y cyfrifir y swm y mae angen ei dalu o dan hysbysiad galw am dalu'r dreth gyngor yn unol â hwy, roi sylw bellach (yn ychwanegol at y darpariaethau hynny sydd eisoes wedi'u cynnwys ym mharagraff 7) i adran 13A o Ddeddf 1992. Mae'r Rheoliadau hyn yn diwygio paragraff 15 o Atodlen 2 i'r prif reoliadau hefyd fel bod rhaid bellach i'r nodiadau esboniadol sydd i'w darparu gyda hysbysiad sy'n galw am dalu'r dreth gyngor gynnwys (yn ychwanegol at yr arwyddion cyffredinol hynny sydd eisoes wedi'u cynnwys ym mharagraff 15) arwydd cyffredinol ynglyn â'r amgylchiadau y gall person fod yn gymwys odanynt i gael lleihad yn swm y dreth gyngor y mae'n atebol i'w dalu o dan adran 13A o Ddeddf 1992.

Paragraph 7 of Schedule 1 to the principal regulations sets out the provisions under the 1992 Act to which a billing authority must have regard in preparing a statement of the days (if any) by which the amount required to be paid under a council tax demand notice is calculated. Section 76 (Billing authority's power to reduce amount of tax payable) of the 2003 Act inserts a new provision into the 1992 Act (section 13A). Section 13A gives a discretion to a billing authority, where a person is liable to pay council tax in respect of any chargeable dwelling and any day, to reduce the amount a person is liable to pay as respects the dwelling and the days to such extent as it thinks fit.

These Regulations amend paragraph 7 of Schedule 1 to the principal regulations such that a billing authority, in preparing a statement of the days (if any) by which the amount required to be paid under a council tax demand notice is calculated, must now have regard (in addition to those provisions already included in paragraph 7) to section 13A of the 1992 Act. These Regulations also amend paragraph 15 of Schedule 2 to the principal regulations such that the explanatory notes to be supplied with a council tax demand notice must now include (in addition to those general indications already included in paragraph 15) a general indication as to the circumstances in which a person may be eligible for a reduction in council tax liability under section 13A of the 1992 Act.

2004 Rhif 460 (Cy.45)**2004 No. 460 (W.45)****Y DRETH GYNGOR, CYMRU****COUNCIL TAX, WALES****Rheoliadau'r Dreth Gyngor
(Hysbysiadau Galw am Dalu)
(Cymru) (Diwygio) 2004****The Council Tax (Demand Notices)
(Wales) (Amendment) Regulations
2004***Wedi'u gwneud* 25 Chwefror 2004*Made* 25th February 2004*Yn dod i rym* 26 Chwefror 2004*Coming into force* 26th February 2004

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 113(1) a (2) a 116(1) o Ddeddf Cyllid Llywodraeth Leol 1992(a), a pharagraffau 1, 2(4)(a), (e), (g), (i) a (j), 4(4) a (5) a 14(1) a (2) o Atodlen 2 iddi a pharagraffau 6(1) a (2) o Atodlen 3 iddi ac sydd bellach yn arferadwy gan Gynulliad Cenedlaethol Cymru(b) drwy hyn yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales, in exercise of the powers conferred upon the Secretary of State by sections 113(1) and (2) and 116(1) of, and paragraphs 1, 2(4)(a), (e), (g), (i) and (j), 4(4) and (5) and 14(1) and (2) of Schedule 2 and paragraphs 6(1) and (2) of Schedule 3 to the Local Government Finance Act 1992(a) now exercisable by the National Assembly for Wales (b) hereby makes the following Regulations:

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Dreth Gyngor (Hysbysiadau Galw am Dalu) (Cymru) (Diwygio) 2004 a deuant i rym ar 26 Chwefror 2004.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig.

Name, commencement and application

1.-(1) These Regulations are called the Council Tax (Demand Notices) (Wales) (Amendment) Regulations 2004 and shall come into force on the 26th February 2004.

(2) These Regulations apply to Wales only.

Dehongli

2. Yn y Rheoliadau hyn -

ystyr "Rheoliadau 1993" yw Rheoliadau'r Dreth Gyngor (Hysbysiadau Galw am Dalu) (Cymru) 1993(c).

Interpretation

2. In these Regulations -

"the 1993 Regulations" means the Council Tax (Demand Notices) (Wales) Regulations 1993(c).

Diwygio Rheoliadau 1993

3.-(1) Mae Rheoliadau 1993 yn cael eu diwygio fel a ganlyn.

(2) Yn rheoliad 2 -

- (a) rhifwch y geiriad presennol yn baragraff (1),
- (b) hepgorwch y diffiniad o "relevant valuation band",

Amendment to the 1993 Regulations

3.-(1) The 1993 Regulations are amended as follows.

(2) In regulation 2 -

- (a) number the existing wording as paragraph (1),
- (b) omit the definition of "relevant valuation band",

(a) 1992 p.14.

(b) *Gweler* O.S. 1999/672, sef Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) (Cymru) 1999.

(c) O.S. 1993/255.

(a) 1992 c.14.

(b) *See* 1999/672 The National Assembly for Wales (Transfer of Functions) (Wales) Order 1999.

(c) S.I. 1993/255.

(c) ar ôl paragraff (1) mewnosodwch -

"(2) Any reference in these Regulations to the relevant valuation band in relation to a dwelling is a reference to the valuation band shown as applicable to the dwelling -

- (a) in the billing authority's valuation list; or
- (b) if a new valuation list is due to come into force for the relevant year under section 22B(2)(b) or (3)(b) of the 1992 Act, as the case may be:
 - (i) except in a case to which paragraph (3) applies, in the list proposed to be compiled as the new list, "the proposed list", by the listing officer and sent to the billing authority under section 22B(7) of the 1992 Act; or
 - (ii) in a case to which paragraph (3) applies, in information which for the purposes of this sub-paragraph is relevant information.

(3) This paragraph applies where the listing officer supplies the authority with information relating to property shown in the proposed list (including information relating to the application to such property of article 3 or 4 of the Council Tax (Chargeable Dwellings) Order 1992(a); and such information is relevant information for the purposes of paragraph (2) to the extent that it differs from information contained in the proposed list."

(3) Ar ôl paragraff 7(b) o Atodlen 1 mewnosodwch -
"(bb) section 13A of the 1992 Act;"

(4) Ym mharagraff 15(b) o Atodlen 2 -

- (a) ar ddiwedd is-baragraff (iv) hepgorwch "and";
- (b) ar ddiwedd is-baragraff (v) mewnosodwch "and";
- (c) ar ôl is-baragraff (v) mewnosodwch -

"(vi) a person may be eligible for a reduction under section 13A of the 1992 Act;"

(5) Ym mharagraff 15(c)(i) o Atodlen 2 yn lle "subsection (2) or (3)" rhwch "subsection (3) or (4)".

(c) after paragraph (1) insert -

"(2) Any reference in these Regulations to the relevant valuation band in relation to a dwelling is a reference to the valuation band shown as applicable to the dwelling -

- (a) in the billing authority's valuation list; or
- (b) if a new valuation list is due to come into force for the relevant year under section 22B(2)(b) or (3)(b) of the 1992 Act, as the case may be:
 - (i) except in a case to which paragraph (3) applies, in the list proposed to be compiled as the new list, "the proposed list", by the listing officer and sent to the billing authority under section 22B(7) of the 1992 Act; or
 - (ii) in a case to which paragraph (3) applies, in information which for the purposes of this sub-paragraph is relevant information.

(3) This paragraph applies where the listing officer supplies the authority with information relating to property shown in the proposed list (including information relating to the application to such property of article 3 or 4 of the Council Tax (Chargeable Dwellings) Order 1992(a); and such information is relevant information for the purposes of paragraph (2) to the extent that it differs from information contained in the proposed list."

(3) After paragraph 7(b) of Schedule 1 insert -
"(bb) section 13A of the 1992 Act;"

(4) In paragraph 15(b) of Schedule 2 -

- (a) at the end of sub-paragraph (iv) omit "and";
- (b) at the end of sub-paragraph (v) insert "and";
- (c) after sub-paragraph (v) insert -

"(vi) a person may be eligible for a reduction under section 13A of the 1992 Act;"

(5) In paragraph 15(c)(i) of Schedule 2 for "subsection (2) or (3)" substitute "subsection (3) or (4)".

(a) O.S. 1992/549.

(a) S.I. 1992/549.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a).

25 Chwefror 2004

25th February 2004

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

OFFERYNNAU STATUDOL

2004 Rhif 460 (Cy.45)

Y DRETH GYNGOR, CYMRU

Rheoliadau'r Dreth Gyngor
(Hysbysiadau Galw am Dalu)
(Cymru) (Diwygio) 2004

STATUTORY INSTRUMENTS

2004 No. 460 (W.45)

COUNCIL TAX, WALES

The Council Tax (Demand Notices)
(Wales) (Amendment) Regulations
2004

©© Hawlfraint y Goron 2004

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

£3.00

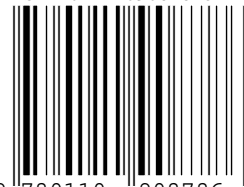
W42/03/04

ON

© Crown copyright 2004

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 0-11-090878-3



9 780110 908786