
DRAFT WELSH STATUTORY INSTRUMENTS

2026 No.

RATING AND VALUATION, WALES

The Non-Domestic Rating (Provision of Information About Changes of Circumstances) (Wales) Regulations 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations impose a duty on a person (“P”) to provide information to billing authorities when P becomes the ratepayer of a hereditament or when certain changes occur in relation to the occupation of a hereditament for which P is the ratepayer (the “notifiable information duty”). The Regulations also provide for a system of penalties for failure to comply with that duty and procedures for reviewing and appealing penalties.

Regulation 3 provides that P must notify the relevant billing authority of the following changes, together with the date on which they occurred—

- When there is a change in the identity of P. This means that P must notify the billing authority that P is the new ratepayer for the hereditament;
- When P becomes the occupier and the hereditament was unoccupied immediately prior to the change. This means that P must notify the billing authority if P occupies the previously unoccupied hereditament (whether or not P was already the ratepayer as the owner of the unoccupied hereditament);
- When a person ceases to be the occupier and the hereditament is unoccupied immediately following the change. This means that where P is the owner of the unoccupied hereditament (whether or not P was already the ratepayer as the previous occupier), P must notify the billing authority that it is no longer occupied.

P must comply with the notifiable information duty within 60 days of the relevant change taking place.

Regulation 4 makes provision about the imposition of financial penalties. Where P or a previous ratepayer fails to comply with the notifiable information duty within the time specified, a civil penalty of £500 may be imposed on that person. Where that person knowingly or recklessly makes a false statement while purporting to comply with the notifiable information duty, they will be liable on summary conviction to a fine not exceeding level 3 on the standard scale. This regulation also deals with matters in relation to the recovery of the civil penalty.

Regulation 5 makes provision about the information which must be contained in a notice imposing such penalties (a “penalty notice”).

Regulations 6 to 8 set out the procedures for the review and service of penalty notices, including the requirement that billing authorities must serve a further penalty notice where the penalty amount has been reduced or remitted in full.

Regulation 9 makes provision about appealing against a penalty notice or further penalty notice.

Regulation 10 amends the Non-Domestic Rating (Demand Notices) (Wales) Regulations 2017 in relation to the prescribed information which must be contained in a demand notice issued to a ratepayer. The amendments will require demand notices to include information reminding ratepayers of the notifiable information duty.

Regulation 11 amends the Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2023 to ensure that relevant provisions of those Regulations apply in relation to appeals brought against penalty notices under these Regulations, apart from the amendment in regulation 11(3)(b), which ensures that a billing authority may be included as a party to an appeal brought under certain provisions in Schedule 9 to the Local Government Finance Act 1988.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Non-Domestic Rates Policy and Reform Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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2026 No.

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Made

Coming into force in accordance with regulation 1(2) and (3)

The Welsh Ministers make the following Regulations in exercise of the powers conferred on the Secretary of State by paragraphs 1 and 11(1A) of Schedule 11 to the Local Government Finance Act 1988(1) and now vested in them(2), and in exercise of the powers conferred on them by section 143A(3) of, and paragraph 6AA(1) to (5) of Schedule 9 to, that Act(3) and section 173(1)(a) of the Local Government and Elections (Wales) Act 2021(4).

A draft of this instrument has been laid before, and approved by a resolution of, Senedd Cymru in accordance with section 143A(5)(n) of the Local Government Finance Act 1988(5).

PART 1

General

Title and coming into force

1.—(1) The title of these Regulations is the Non-Domestic Rating (Provision of Information About Changes of Circumstances) (Wales) Regulations 2026.

(2) Regulations 1 and 10 come into force on 31 January 2026.

(3) Regulations 2 to 9 and 11 come into force on 1 April 2026.

(1) 1988 c. 41. Paragraph 1 of Schedule 11 was amended by paragraph 4(a) of Schedule 15 to the Local Government and Public Involvement in Health Act 2007 (c. 28). Paragraph 11(1A) of Schedule 11 was inserted and amended by paragraphs 13(3)(b) and 18(2)(b), respectively, of the Schedule to the Local Government Finance (Wales) Act 2024 (asc 6).

(2) The functions of the Secretary of State were transferred, in so far as exercisable in relation to Wales, to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). These functions are now exercisable by the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

(3) Section 143A was inserted by section 14 of the Local Government Finance (Wales) Act 2024. Paragraph 6AA of Schedule 9 was inserted by section 152(2) of the Local Government and Elections (Wales) Act 2021 (asc 1).

(4) 2021 asc 1.

(5) See also section 40 of the Legislation (Wales) Act 2019 (anaw 4) for provision about the procedure that applies to this instrument.

Interpretation

2. In these Regulations—

“the Act” (“*y Ddeddf*”) means the Local Government Finance Act 1988;

“billing authority” (“*awdurdod bilio*”) means a county council or county borough council in Wales;

“hereditament” (“*hereditament*”) has the meaning given by section 64 of the Act(6);

“local list” (“*rhestr leol*”) means a list compiled and maintained in accordance with section 41ZA of the Act(7);

“occupier” (“*meddiannydd*”) has the meaning given by section 65 of the Act(8);

“owner” (“*perchennog*”) has the meaning given by section 65 of the Act;

“P” (“*P*”) means a person who is a ratepayer as regards a hereditament on a local list in respect of a chargeable financial year;

“ratepayer” (“*talwr ardrethi*”), as it applies to a hereditament, means the occupier or, if the hereditament is not occupied, the owner;

“Welsh Consolidated Fund” (“*Cronfa Gyfunol Cymru*”) means the fund established by section 117 of the Government of Wales Act 2006(9).

PART 2

Provision of information and imposition of penalties

Duty to provide information to billing authorities following a change of circumstances

3.—(1) P must, within the notification period, provide notifiable information in writing to the billing authority responsible for maintaining the local list in which the hereditament is shown.

(2) “Notifiable information” is—

(a) confirmation that one or more of the changes of circumstances specified in paragraph (3) has occurred, and

(b) the date on which the change or changes of circumstances occurred.

(3) A change of circumstances occurs when—

(a) there is a change in the identity of P;

(b) P becomes the occupier and the hereditament was unoccupied immediately prior to P's occupation;

(c) a person ceases to be the occupier and the hereditament is unoccupied immediately following the change in occupation.

(4) The “notification period” is the period of 60 days beginning with the day on which the change specified in paragraph (3) occurs.

Penalties

4.—(1) Where a person fails to provide the notifiable information required to be provided under regulation 3 within the notification period in regulation 3(4), the billing authority may impose a financial penalty on that person.

(6) Section 64 was amended by paragraph 2 of Schedule 10 to the Local Government Finance Act 1992 (c. 14), Schedule 4 to the Local Government and Rating Act 1997 (c. 29), section 66 of the Local Government Act 2003 (c. 26) and paragraph 1(13) of the Schedule to the Local Government Finance (Wales) Act 2024. There are other amendments not relevant to this instrument.

(7) Section 41ZA was inserted by section 2(3) of the Local Government Finance (Wales) Act 2024.

(8) Section 65 was amended by paragraph 34 of Schedule 5 to the Local Government and Housing Act 1989 (c. 42) and section 2(3) of the Local Government and Rating Act 1997.

(9) 2006 c. 32.

(2) A penalty imposed under this regulation may be imposed on a person who, at the time the penalty is imposed, is no longer the ratepayer for the purposes of regulation 3.

(3) The penalty imposed under paragraph (1) is £500.

(4) Any sum received by the billing authority by way of a penalty under paragraph (1) must be paid into the Welsh Consolidated Fund.

(5) The billing authority may recover any outstanding penalty imposed under paragraph (1) as a civil debt due to the authority.

(6) But a claim to recover any such penalty must not be made—

(a) until the end of the period for requesting a review under regulation 6(2),

(b) if a review is made under regulation 6(2), until the review is decided, or

(c) if an appeal is made under regulation 9, until the appeal is decided.

(7) Where the person knowingly or recklessly provides notifiable information in purported compliance with these Regulations which is false in a material particular, the person is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Information in penalty notices

5. Where a billing authority imposes a penalty under regulation 4(1), it must serve a notice (a “penalty notice”) in accordance with regulation 8 on the person stating—

(a) the amount of the penalty,

(b) the reasons for imposing the penalty,

(c) how payment may be made,

(d) the period within which payment must be made, which must not be less than 21 days beginning with the date of the penalty notice,

(e) the person’s rights to request a review of, and appeal against, the penalty, and

(f) the consequences of non-payment.

Penalties: reviews

6.—(1) This regulation applies where a penalty notice has been served on a person under regulation 5.

(2) The person may require a review of the imposition of the penalty or its amount by making a request in writing to the billing authority within the period of 30 days beginning with the date of the penalty notice.

(3) A request for a review must include a statement of the reasons why the person disputes the imposition of the penalty or its amount.

(4) The review must conclude that the penalty is to be—

(a) confirmed,

(b) reduced, or

(c) remitted in full.

(5) The billing authority must notify the person in writing of the conclusion of the review and its reasoning within the period of 30 days beginning with the day on which the request was made under paragraph (2).

(6) Where a review is required under this regulation, but the billing authority does not notify the person of the conclusion of the review within the period specified in paragraph (5), the billing authority is deemed to have notified the person that the penalty is confirmed.

(7) Where the review concludes that the penalty amount is to be reduced or remitted under paragraph (4)(b) or (c) respectively, the billing authority must—

- (a) serve a further penalty notice on the person containing the revised penalty amount in accordance with regulations 7 and 8, and
- (b) repay the person with any overpaid penalty amount, having adjusted the revised penalty amount by reference to that overpaid amount, within the period of 21 days beginning with the date of the further penalty notice.

Information in further penalty notices

7. The further penalty notice served under regulation 6(7)(a) must state—
- (a) the amount of the revised penalty amount;
 - (b) where applicable—
 - (i) how payment may be made,
 - (ii) the period within which payment must be made, which must not be less than 21 days beginning with the date of the further penalty notice, and
 - (iii) the consequences of non-payment;
 - (c) the person's right to appeal against the further penalty notice.

Service of notices

- 8.—(1) A penalty notice or further penalty notice is validly given to a person if—
- (a) it is hand delivered to the person,
 - (b) it is delivered to the person at the person's proper address,
 - (c) it is sent to the person's proper address by post, or
 - (d) it is sent to the person by electronic communication.
- (2) The penalty notice or further penalty notice is to be treated as having been hand delivered under paragraph (1)(a)—
- (a) in the case of a body corporate, if it is hand delivered to the secretary or clerk of the body;
 - (b) in the case of a partnership, if it is hand delivered to a partner or a person having control or management of the partnership business.
- (3) For the purposes of paragraph (1)(b) and (c), the person's proper address is—
- (a) in the case of a body corporate, the address of the registered or principal office of the body;
 - (b) in the case of a partnership, the address of the principal office of the partnership;
 - (c) in any other case, the person's last known address.
- (4) In this regulation, "electronic communication" has the meaning given by section 15(1) of the Electronic Communications Act 2000⁽¹⁰⁾.
- (5) See section 233 of the Local Government Act 1972⁽¹¹⁾ for additional provision about the methods by which billing authorities may serve documents.

Penalties: appeals

9. Where a billing authority has confirmed or reduced the penalty in accordance with regulation 6(4)(a) or (b), or is deemed to have confirmed it under regulation 6(6), the person may appeal against the penalty notice or the further penalty notice to a valuation tribunal established under paragraph 1 of Schedule 11 to the Act, in accordance with the Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2023⁽¹²⁾.

⁽¹⁰⁾ 2000 c. 7. Section 15(1) was amended by paragraph 158 of Schedule 17 to the Communications Act 2003 (c. 21).

⁽¹¹⁾ 1972 c. 70.

⁽¹²⁾ S.I. 2023/350 (W. 51), amended by S.I. 2024/998 (W. 169); there are other amending instruments but none is relevant.

PART 3

Consequential amendments to secondary legislation

Amendments to the Non-Domestic Rating (Demand Notices) (Wales) Regulations 2017

10. In Schedule 1 (matters to be contained in demand notices) to the Non-Domestic Rating (Demand Notices) (Wales) Regulations 2017(**13**), after paragraph 6 insert—

“7. The demand notice must contain the following paragraphs—

“The Non-Domestic Rating (Provision of Information About Changes of Circumstances) (Wales) Regulations 2026 require a ratepayer for the relevant hereditament shown in a local non-domestic rating list to notify the billing authority when certain changes of circumstances occur. You must notify the billing authority of the date on which any of the following changes occurred, within the period of 60 days of that date—

- a. you became the ratepayer of the property,
- b. the property has become occupied and was previously unoccupied (empty), or
- c. the property has ceased to be occupied (has become empty).

Failure to comply with this requirement may result in liability to a fine of £500. Providing information which is false in a material particular may result in liability on summary conviction to a fine not exceeding level 3 on the standard scale.”

Amendments to the Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2023

11.—(1) The Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2023 are amended as follows.

(2) In regulation 2(1) (interpretation: general)—

(a) in the definition of “appeal”—

(i) in sub-paragraph (d) omit “(in these Regulations called an “appeal against imposition of a Schedule 9 penalty”);”;

(ii) after sub-paragraph (d) insert—

“(e) regulations made under paragraph 6AA of Schedule 9 to the Act;”;

(b) in the definition of “appeal against imposition of a penalty”—

(i) in sub-paragraph (a), for “Schedule 9 penalty,” and the “or” after it, substitute “penalty under paragraph 5C of Schedule 9 to the Act;”;

(ii) after sub-paragraph (a) insert—

“(aa) an appeal against imposition of a penalty or its amount under regulations made under paragraph 6AA of Schedule 9 to the Act, or”;

(c) for the definition of “Schedule 9 penalty” substitute—

““Schedule 9 penalty” (“*cosb Atodlen 9*”) means a penalty imposed under—

(a) paragraph 5A of Schedule 9 to the Act, or

(b) regulations made under paragraph 6AA of Schedule 9 to the Act;”.

(3) In regulation 2(3)—

(a) in sub-paragraph (a) omit “or an appeal against the imposition of a Schedule 9 penalty”;

(b) after sub-paragraph (a) insert—

“(aa) where an appeal is made against the imposition of a Schedule 9 penalty, the relevant authority or the VO whose notice is the subject of the appeal;”.

(13) S.I. 2017/113 (W. 39), to which there are amendments not relevant to this instrument.

- (4) In regulation 32 (appeals against completion notices or imposition of Schedule 9 penalties)—
- (a) in paragraph (1), after “or the imposition of a penalty” insert “under paragraph 5A of Schedule 9 to the Act”;
 - (b) after paragraph (1) insert—
 - “(1A) A person who wishes to appeal against the imposition of a penalty or its amount under regulations made under paragraph 6AA of Schedule 9 to the Act must serve a notice of appeal to the VTW so that it is received within the period of 30 days beginning with the day on which the billing authority notifies, or is deemed to have notified, the appellant of the conclusions of the review carried out in accordance with regulation 6 of the Non-Domestic Rating (Provision of Information About Changes of Circumstances) (Wales) Regulations 2026.”;
 - (c) In paragraph (2)—
 - (i) in sub-paragraph (a), for “the penalty notice” substitute “the notice of the imposition of the penalty”;
 - (ii) in sub-paragraph (b), at the beginning insert “where the appeal is against a completion notice or the imposition of a penalty under paragraph 5A of Schedule 9 to the Act,”;
 - (iii) in sub-paragraph (b), at the end omit “and”;
 - (iv) after sub-paragraph (b) insert—
 - “(ba) where the appeal is against the imposition of a penalty or its amount under regulations made under paragraph 6AA of Schedule 9 to the Act, a statement of the reasons why the appellant considers the relevant authority should not have issued the notice, and”;
 - (d) in paragraph (3), after “specified in paragraph (1)” insert “or (1A) (as the case may be)”;
 - (e) in paragraph (4), for “paragraph (1)” substitute “paragraphs (1) and (1A)”.
- (5) In regulation 35 (arrangements for appeals), in paragraph (1)—
- (a) at the end of sub-paragraph (c), for “. or” substitute “,”;
 - (b) at the end of sub-paragraph (d), insert “or”;
 - (c) after sub-paragraph (d) insert—
 - “(e) regulations made under paragraph 6AA of Schedule 9 to the Act.”.
- (6) In regulation 53(1) (reduction or remitting penalty), after “the VTW may order the VO” insert “or the relevant authority (as the case may be)”.
- (7) In regulation 56(1) (appeals), after sub-paragraph (c) insert—
- “(d) an appeal under regulations made under paragraph 6AA of Schedule 9 of the Act.”

Name

Cabinet Secretary for Finance and Welsh Language, one of the Welsh Ministers

Date