WELSH STATUTORY INSTRUMENTS

2010 No. 682 (W.65)

RATING AND VALUATION, WALES

The Non-Domestic Rating (Definition of Domestic Property) (Wales) Order 2010

Made - - - -	*5 March 2010*
Laid before the National Assembly for Wales - -	*10 March 2010*
Coming into force - -	*1 April 2010*

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 66(9) and 143(1) and (2) of the Local Government Finance Act 1988(**1**) and now vested in them(**2**), make the following Order:

Title and commencement

1. The title of this Order is the Non-Domestic Rating (Definition of Domestic Property) (Wales) Order 2010, and it comes into force on 1 April 2010.

Definition of domestic property

2.—(1) Section 66 of the Local Government Finance Act 1988 is amended as follows.

(2) In subsection (1), after "(2B)" insert ", (2BB)".

(3) After subsection (2A) insert—

"(2AA) Subsection (2B) applies only in so far as this Part applies in relation to England."

(4) After subsection (2B) insert—

"(2BA) Subsection (2BB) applies only in so far as this Part applies in relation to Wales.

(2BB) A building or self-contained part of a building is not domestic property if each of the following paragraphs apply in relation to it—

(a) the relevant person intends that, in the year beginning with the end of the day in relation to which the question is being considered, the whole of the building

(**1**) 1988 c. 41.

(**2**) The functions of the Secretary of State contained in the Local Government Finance Act 1988 were, so far as they are 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). Functions of the National Assembly for Wales transferred to the Welsh Ministers under section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).