
W E L S H S T A T U T O R Y I N S T R U M E N T S

2016 No. 1072 (W. 257)

**ACQUISITION OF LAND, WALES
COMPENSATION**

**The Home Loss Payments (Prescribed
Amounts) (Wales) Regulations 2016**

<i>Made</i>	- - - -	<i>7 November 2016</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>11 November 2016</i>
<i>Coming into force</i>	- -	<i>5 December 2016</i>

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon the Secretary of State by section 30(5) of the Land Compensation Act 1973⁽¹⁾ and now exercisable by them in relation to Wales⁽²⁾:

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the Home Loss Payments (Prescribed Amounts) (Wales) Regulations 2016 and they come into force on 5 December 2016.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations “the Act” (“*y Ddeddf*”) means the Land Compensation Act 1973.

Revision of prescribed amounts for home loss payment

2. When the date of displacement is on or after 5 December 2016—

(a) the prescribed maximum amount of home loss payment for the purposes of section 30(1) of the Act is £55,000;

(b) the prescribed minimum amount of home loss payment for the purposes of section 30(1) of the Act is £5,500; and

(1) 1973 c. 26; section 30 was substituted by section 68(3) of the Planning and Compensation Act 1991 (c. 34) with effect from 25 September 1991 (see S.I. 1991/2067, article 3).

(2) The functions of the Secretary of State under section 30 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), article 2; and Schedule 1. The functions of the National Assembly for Wales under section 30 were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

- (c) the prescribed amount of home loss payment for the purposes of section 30(2) of the Act is £5,500.

Revocation and savings

3.—(1) Subject to paragraph (2), the Home Loss Payments (Prescribed Amounts) (Wales) Regulations 2015⁽³⁾ are revoked.

(2) The Regulations mentioned in paragraph (1) will continue to have effect in relation to a displacement occurring before 5 December 2016.

7 November 2016

Carl Sargeant
Cabinet Secretary for Communities and
Children, one of the Welsh Ministers

(3) [S.I. 2015/1878 \(W. 275\)](#).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to Wales, increase the maximum and minimum amounts of home loss payments payable under the Land Compensation Act 1973 (“the Act”) to those occupying a dwelling who have an owner’s interest. These Regulations also increase the amount of home loss payment payable under the Act in any other case.

A person who is displaced from a dwelling by compulsory purchase or in other circumstances specified in section 29 of the Act is entitled to a home loss payment.

Section 30(1) of the Act provides that in cases where a person occupying a dwelling on the date of displacement has an owner’s interest, the amount of home loss payment is calculated as a percentage of the market value of that interest, subject to a maximum and minimum amount.

Section 30(2) of the Act specifies the amount of the home loss payment in any other case.

Regulation 2(a) of these Regulations increases the maximum amount payable under section 30(1) of the Act from £53,000 to £55,000 and regulation 2(b) increases the minimum amount from £5,300 to £5,500.

Regulation 2(c) increases the home loss payment payable, under section 30(2) of the Act, in any other case from £5,300 to £5,500.

The revised amounts apply where the displacement occurs on or after 5 December 2016.

Regulation 3 revokes, with savings, the Home Loss Payments (Prescribed Amounts) (Wales) Regulations 2015.

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.