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WELSH STATUTORY INSTRUMENTS

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**2018 No. 1113 (W. 231)**

**ACQUISITION OF LAND, WALES  
COMPENSATION**

**The Home Loss Payments (Prescribed  
Amounts) (Wales) Regulations 2018**

<i>Made</i>	- - - -	<i>24 October 2018</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>25 October 2018</i>
<i>Coming into force</i>	- -	<i>3 December 2018</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<sup>(1)</sup> and now exercisable by them in relation to Wales<sup>(2)</sup>:

**Title, commencement, application and interpretation**

1.—(1) The title of these Regulations is the Home Loss Payments (Prescribed Amounts) (Wales) Regulations 2018 and they come into force on 3 December 2018.

(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 3 December 2018—

(a) the prescribed maximum amount of home loss payment for the purposes of section 30(1) of the Act is £59,000;

(b) the prescribed minimum amount of home loss payment for the purposes of section 30(1) of the Act is £5,900; and

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(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 £5,900.

**Revocation and savings**

**3.—**(1) Subject to paragraph (2), the Home Loss Payments (Prescribed Amounts) (Wales) Regulations 2017<sup>(3)</sup> are revoked.

(2) The Regulations referred to in paragraph (1) will continue to have effect in relation to a displacement occurring before 3 December 2018.

*Rebecca Evans*  
Minister for Housing and Regeneration, under  
the authority of the Cabinet Secretary for Local  
Government and Public Services, one of the  
Welsh Ministers

24 October 2018

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(3) S.I. 2017/996 (W. 254).

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## 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 £57,500 to £59,000 and regulation 2(b) increases the minimum amount from £5,750 to £5,900.

Regulation 2(c) increases the home loss payment in any other case, under section 30(2) of the Act, from £5,750 to £5,900.

The revised amounts apply where the displacement occurs on or after 3 December 2018.

Regulation 3 revokes, with savings, the Home Loss Payments (Prescribed Amounts) (Wales) Regulations 2017.

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.