

2006 No. 464 (C. 28)

RATES

**Rates (Amendment) (2006 Order) (Commencement No. 1)
Order (Northern Ireland) 2006**

Made - - - - *22nd November 2006*

The Department of Finance and Personnel^(a) makes the following Order in exercise of the powers conferred by Article 1(3) of the Rates (Amendment) (Northern Ireland) Order 2006^(b):

Citation and interpretation

1.—(1) This Order may be cited as the Rates (Amendment) (2006 Order) (Commencement No. 1) Order (Northern Ireland) 2006.

(2) In this Order “the 2006 Order” means the Rates (Amendment) (Northern Ireland) Order 2006.

Appointed days

2.—(1) 23rd November 2006 is the day appointed for the coming into operation of the provisions of the 2006 Order listed in column (1) of Schedule 1 for the purposes set out in column (3) thereof.

(2) 1st December 2006 is the day appointed for the coming into operation of the provisions of the 2006 Order listed in column (1) of Schedule 2 for the purposes set out in column (3) thereof.

(3) 1st January 2007 is the day appointed for the coming into operation of the provisions of the 2006 Order listed in column (1) of Schedule 3 for the purposes set out in column (3) thereof.

(4) Except for Article 4, the day appointed for the coming into operation of the provisions of the 2006 Order, in so far as they have not been brought into operation before 1st April 2007, is 1st April 2007.

Sealed with the Official Seal of the Department of Finance and Personnel on 22nd November 2006



Brian McClure

A senior officer of the Department of Finance and Personnel

(a) Formerly the Department of Finance; see S.I. 1982/338 (N.I. 6), Article 3
(b) S.I. 2006/2954 (N.I.18)

SCHEDULE 1

Article 2(1)

Provisions coming into operation on 23rd November 2006

<i>Provisions of the 2006 Order</i> (1)	<i>Subject matter</i> (2)	<i>Purposes</i> (3)
Article 29	The Northern Ireland Valuation Tribunal	For the purpose of enabling the Lord Chancellor to make rules under paragraphs 7 to 13 of Schedule 9B to the Rates (Northern Ireland) Order 1977(a) and in so far as is necessary for the purpose of an order under section 2(2)(a) of the Justice (Northern Ireland) Act 2002(b)
Article 40	Power to make transitional and consequential provisions, etc.	For all purposes
Schedule 1	The Northern Ireland Valuation Tribunal	For the purpose of enabling the Lord Chancellor to make rules under paragraphs 7 to 13 of Schedule 9B to the Rates (Northern Ireland) Order 1977 and in so far as is necessary for the purpose of an order under section 2(2)(a) of the Justice (Northern Ireland) Act 2002

SCHEDULE 2

Article 2(2)

Provisions coming into operation on 1st December 2006

<i>Provisions of the 2006 Order</i> (1)	<i>Subject matter</i> (2)	<i>Purposes</i> (3)
Article 3	Regional rate and district rate	For all purposes
Article 5	Rateable values	For all purposes
Article 6	Liability to be rated according to rateable values	For the purposes of making regulations
Article 7	Liability to be rated in respect of hereditaments owned by the Housing Executive, etc.	For all purposes
Article 8	Basis of valuation	For all purposes
Article 10	Agreements for deferred payment of rates on dwellings	For all purposes
Article 11(2)(c) and (d), (3) and (4)	General provisions as to valuation lists	For all purposes
Article 12	New valuation lists	For all purposes
Article 13	Access to valuation lists	For all purposes

(a) S.I. 1977/2157 (N.I. 28)

(b) 2002 c. 26

<i>Provisions of the 2006 Order</i> (1)	<i>Subject matter</i> (2)	<i>Purposes</i> (3)
Article 14	Rate relief scheme	For all purposes
Article 15	Persons under 18 and persons in education and training or leaving care	For all purposes
Article 18	Transitional rate relief	For all purposes
Article 19	Extension of exemption relating to sale of goods donated to a charity	For all purposes
Article 21	Power to prescribe exemption where hereditament has both a capital value and a net annual value	For all purposes
Article 26	Power to remove exemption for private dwellings from completion notices	For all purposes
Article 27	Power to extend exemption from completion notices	For all purposes
Article 32	Power to transfer appeal to the Lands Tribunal not to apply in prescribed cases	For all purposes
Article 33	Appeals from the Commissioner and the Valuation Tribunal	For the purposes of making regulations
Article 34	Payment of interest	For all purposes
The following paragraphs of Schedule 2 and Article 39 in so far as it relates to them— paragraphs 2(1), (4), (6), (7), (9) and (10), 3, 4, 6, 7(1) and (2), 18(1), (2)(b), (3) and (4) 24, 37(1) and (3)(a) and (c), 38(1), (3) and (4), 41 to 43 and 48(1), (3), (4) and (6)	Amendments to the Rates (Northern Ireland) Order 1977	For all purposes other than— (a) the omission of paragraph 2(2) of Part XIII of Schedule 12 to the Rates (Northern Ireland) Order 1977; and (b) the amendment of paragraph 3(1) of Part XIII of Schedule 12 to that Order
In Schedule 3 the following entries and Article 41 in so far as it relates to them— the entries relating to Articles 2(2), 5, 11(2)(b), 41, 60 and 61 of, and Schedules 5, 6 and 12 to, the Rates (Northern Ireland) Order 1977	Repeals	For all purposes other than— (a) the repeal of the definition of “rack rent” in Article 2(2); (b) the repeal of the words “an interest in which belongs to, or to trustees of for, a religious body and” in Article 41(8) and the words “(in right of that interest)” in Article 41(8)(a);

<i>Provisions of the 2006 Order</i> (1)	<i>Subject matter</i> (2)	<i>Purposes</i> (3)
		(c) the repeal of the words “, other than the occupier or owner of land” in Article 60(4); and
		(d) the repeal of paragraph 3 of Part I of and paragraph 2(2) of Part XIII of Schedule 12 to the Rates (Northern Ireland) Order 1977
the entry relating to the Rates (Amendment) (Northern Ireland) Order 1979(a)		For all purposes
the entry relating to the Local Government, Planning and Land (Northern Ireland) Order 1981(b)		For all purposes other than the repeal of words in Article 6
the entry relating to the Rates (Amendment) (Northern Ireland) Order 1983(c)		For all purposes
the entry relating to the Rates (Amendment) (Northern Ireland) Order 1996(d)		For all purposes
the entry relating to the Rates (Capital Values, etc.) (Northern Ireland) Order 2006(e)		For all purposes other than the repeal of Article 14(3)

SCHEDULE 3

Article 2(3)

Provisions coming into operation on 1st January 2007

<i>Provisions of the 2006 Order</i> (1)	<i>Subject matter</i> (2)	<i>Purposes</i> (3)
Article 9	Right to pay rates by instalments	For all purposes
Paragraph 46 of Schedule 2 and Article 39 in so far as it relates to it	Amendments to Schedule 9 to the Rates (Northern Ireland) Order 1977	For all purposes
In Schedule 3 the following entries and Article 41 in so far as it relates to them—	Repeals	

(a) S.I. 1979/297 (N.I. 4)

(b) S.I. 1981/437 (N.I. 13)

(c) S.I. 1983/421 (N.I. 7)

(d) S.I. 1996/3162 (N.I. 25)

(e) S.I. 2006/1611 (N.I. 4)

<i>Provisions of the 2006 Order</i> (1)	<i>Subject matter</i> (2)	<i>Purposes</i> (3)
the entries relating to Article 29 of, and Schedule 9 to, the Rates (Northern Ireland) Order 1977		For all purposes
the entry relating to the Local Government, Planning and Land (Northern Ireland) Order 1981		For the purposes of the repeal of words in Article 6

EXPLANATORY NOTE

(This note is not part of the Order)

With the exception of Article 4 (police purposes part of the regional rate), this Order provides for the coming into operation of the Rates (Amendment) (Northern Ireland) Order 2006 (“the 2006 Order”) in so far as it is not already in operation.

The Order provides for the coming into operation of—

- (a) the provisions of the 2006 Order listed in Schedule 1 to this Order, on 23rd November 2006;
- (b) the provisions of the 2006 Order listed in Schedule 2 to this Order, on 1st December 2006;
- (c) the provisions of the 2006 Order listed in Schedule 3 to this Order, on 1st January 2007; and
- (d) the remaining provisions of the 2006 Order (other than Article 4), on 1st April 2007.