

SCHEDULE 1

Amendments to primary legislation

PART 5

5. The Planning Blight (Compensation) (Northern Ireland) Order 1981(1) shall be amended as follows—

(a) in Article 2 (interpretation)—

(i) in paragraph (2) the definition of “annual value” shall be omitted;

(ii) in paragraph (2) in the appropriate places insert—

“capital value” means capital value for the purposes of the Rates (Northern Ireland) Order 1977 and shall be construed in accordance with Article 39 of that Order;

“net annual value” means net annual value for the purposes of the Rates (Northern Ireland) Order 1977 and shall be construed in accordance with Articles 39 and 39A of that Order;

“value”, in relation to a hereditament, means the value which on the date of service of a blight notice, is shown in a valuation list as the net annual value (if any) or, as the case maybe the capital value (if any) of the hereditament or in relation to land certified by the Commissioner of Valuation under this paragraph means the net annual value or, as the case maybe, the capital value as it appears in such a certificate;

“valuation list” has the meaning assigned to it by Article 2(2) of the Rates (Northern Ireland) Order 1977;”

(iii) in paragraph (2) in the definition of “hereditament” for “the valuation list” substitute “a valuation list”;

(iv) in paragraph (3)—

(aa) for “the valuation list”, wherever it occurs, there shall be substituted “a valuation list”;

(bb) for “the definition of “annual value”” substitute “the definition of value”;

(cc) after “as net annual values” insert “or, as the case maybe, capital values”;

(v) in paragraph (4) for “the valuation list” there shall be substituted “a valuation list”.

(b) for Article 4(1)(b)(ii) (interests qualifying for protection) substitute—

“(ii) in a hereditament if either of the following sub-paragraphs applies—

(aa) the net annual value of the land does not exceed £19,685; or

(bb) the capital value of the hereditament does not exceed £2,100,000.

(1A) The Department may by Order substitute a different limit for any limit specified in paragraph (1)(aa) or (bb).”