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STATUTORY INSTRUMENTS

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**2023 No. 447**

**The Middlesbrough Development  
Corporation (Functions) Order 2023**

**Part 3**

**Discretionary relief from non-domestic rates**

**Powers in relation to discretionary relief from non-domestic rates**

**8.**—(1) Subject to article 10,—

- (a) in relation to qualifying hereditaments in the Mayoral development area, the Corporation has the functions conferred by section 47(3) and (6) of the 1988 Act<sup>(1)</sup> to the effect that section 47 of the 1988 Act applies as regards a hereditament, and
- (b) in relation to a hereditament as regards which section 47 of the 1988 Act applies as a result of a decision made by the Corporation, the Corporation has the function of making the determinations mentioned in section 47(1)(a) of the 1988 Act.

(2) In paragraph (1) ‘qualifying hereditament’ has the same meaning as in section 214(9) of the 2011 Act.

**Modification of references to billing authority**

**9.**—(1) For the purposes of exercising functions transferred by this Part, any reference in an enactment to a billing authority is to be construed, so far as is required for giving it effect, as including a reference to the Corporation.

(2) Paragraph (1) does not apply to the reference in section 47(5A) of the 1988 Act to a billing authority.

**Transitional provision in relation to non-domestic rates functions**

**10.** Schedule 2 makes transitional provision in relation to functions transferred to the Corporation by virtue of this Part which were exercised by a previous authority prior to 12th May 2023.

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(1) Section 47(3) was amended by paragraph 65 of Schedule 13 to the Local Government Finance Act 1992 (c. 14) and section 69(4) of the Localism Act 2011.