

Status: Point in time view as at 29/04/2014.

Changes to legislation: Rates (Northern Ireland) Order 1977, PART III is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 16

TRANSITIONAL PROVISIONS, ETC.

PART III

SAVINGS

Principles of valuation

1. Subject to the variations provided for in the 1972 Order and this Order, the principles on which hereditaments are to be valued continue to be those applicable before 1st April 1973;^{F1} . . .

F1 1996 NI 25

The Commissioner, Deputy Commissioner and district valuers

2.—(1) A person shall not be disqualified to act as Commissioner, Deputy Commissioner or district valuer by reason only that he is the owner or occupier of^{F2}, or is chargeable to rates under Article 25A in respect of,] any property the rates in respect of which are affected by the exercise of his functions.

(2) Nothing in sub-paragraph (1) authorises any person to whom that sub-paragraph applies to act in relation to any property which, or any part of which, he himself owns or occupies^{F2} or is so chargeable].

F2 2004 NI 4

Errors in making valuations, etc.

3.—(1) A rate or the levying of a rate shall not be affected by reason of any omission to give any notice required by the 1972 Order or this Order, or by reason of any error, omission, misdescription or variance in the making of a valuation or apportionment, in the preparation of the valuation list or in altering the valuation list; and it shall not be necessary in any proceeding in relation to, or to the levying of, a rate, or in relation to a valuation or alteration to give evidence of the performance of any of the preliminaries required in the making of a valuation, apportionment or alteration.

(2) In this paragraph “rate” includes a rate as defined in paragraph 1 of Part I of this Schedule.

Demand notes, etc.

4.—(1) A demand note, certificate or other document which purports to be made in pursuance of any provision of the 1972 Order or this Order shall not be quashed or deemed to be void or voidable

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for want of form, or be affected by reason of a mistake, defect or omission therein, if the same is in substance and effect in conformity with or according to the intent and meaning of that Order or this Order, and if the person or hereditament charged or intended to be charged or affected thereby is designated therein according to a common intent and understanding.

(2) A demand note, certificate or other document shall not be impeached or affected by reason of a mistake therein as to—

- (i) the name of a person liable, or
- (ii) the situation of any hereditament, or
- (iii) the amount of the rate charged.

Half-rents

5. The repeal by the 1972 Order of section 7 of the Valuation Acts Amendment Act (Northern Ireland) 1932 does not affect any payment or allowance of a sum which a landlord is required by that section to pay or allow.

Para. 6 rep. by 1978 NI 20

Covenants, etc., in leases

7. The repeal by the 1972 Order of section 13 of the Revaluation (Consequential Provisions) Act (Northern Ireland) 1936 or section 19 of the Revaluation (Amendment and Consequential Provisions) Act (Northern Ireland) 1957 does not affect any change made under the said section 13 or the effect of any memorandum under subsection (4) of that section.

Rates payable by tenants under housing schemes

8. The repeal by the 1972 Order of section 14 of the Revaluation (Consequential Provisions) Act (Northern Ireland) 1936 does not affect any modification effected by that section in any agreement to which that section applied.

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