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STATUTORY INSTRUMENTS

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**2006 No. 2954**

**The Rates (Amendment) (Northern Ireland) Order 2006**

**PART III**

**VALUATION LISTS**

**General provisions as to valuation lists**

**11.**—(1) In Article 40 of the principal Order (general provisions as to valuation lists), for paragraphs (1) and (2) there shall be substituted the following paragraphs—

“(1) The Commissioner shall maintain the following lists prepared, and from time to time altered, by him in accordance with this Part—

- (a) a list of hereditaments required to be valued upon an estimate of their net annual value (in this Order referred to as a NAV list);
- (b) a list of hereditaments required to be valued upon an estimate of their capital value (in this Order referred to as a capital value list).

(2) There shall be entered in a NAV list in respect of each hereditament which is required to be valued as mentioned in paragraph (1)(a)—

- (a) its net annual value; and
- (b) such other particulars as the Department may determine.

(2A) There shall be entered in a capital value list in respect of each hereditament which is required to be valued as mentioned in paragraph (1)(b)—

- (a) its capital value; and
- (b) such other particulars as the Department may determine.

(2B) Paragraphs (2) and (2A) are without prejudice to the provisions of this Part and subject to any other statutory provision.”.

(2) Article 40 of the principal Order shall be further amended as follows—

- (a) in paragraph (4), after the words “net annual value” there shall be inserted the words “ or the capital value ”;
- (b) in paragraph (5), for the words “valuation list” in both places where they occur there shall be substituted the words “ NAV list or capital value list ”;
- (c) in paragraph (7)—
  - (i) for the word “list” in each place where it occurs there shall be substituted the word “ lists ”;
  - (ii) after “6(3)(b),” there shall be inserted “ (4) or (5), ”;
  - (iii) for the word “values” in the first place where it occurs there shall be substituted the words “ net annual values or capital values ”;
- (d) in paragraph (8)—

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- (i) for “6(3)(b)(i)” there shall be substituted “ 6(4) ”;
  - (ii) for the word “list” in the first place where it occurs there shall be substituted the word “ lists ”;
  - (iii) for the words “that list” in both places where they occur there shall be substituted the words “ those lists ”.
- (3) In Article 2(2) of the principal Order (interpretation)—
- (a) after the definition of “building” there shall be inserted the following definitions—
    - ““capital value” shall be construed in accordance with Article 39;
    - “capital value list” has the meaning given by Article 40(1)(b);”;
  - (b) after the definition of “modify” there shall be inserted the following definition—
    - ““NAV list” has the meaning given by Article 40(1)(a);”;
  - (c) in the definition of “new valuation list”, for the words from “a valuation list” to the end there shall be substituted the words “ a new valuation list published under Article 45(1) ”;
  - (d) in the definition of “valuation list”, for the words from “has the meaning” to the end there shall be substituted the words “ means a capital value list or a NAV list ”;
  - (e) in the definition of “the valuation list”, for “list” in the second place where it occurs there shall be substituted the word “ lists ”.
- (4) In Article 2(4) of the principal Order, for the word “the” in the first, third and fifth places where it occurs there shall be substituted the word “ a ”.
- (5) Subject to paragraph (6), the valuation list in force immediately before the commencement of paragraph (1) shall continue in force as a NAV list under Article 40(1)(a) of the principal Order (until it is superseded as mentioned in Article 40(5) of that Order) so far as it relates to hereditaments required to be valued upon an estimate of their net annual value.
- (6) Where, immediately before the commencement of paragraph (1), an apportionment under Article 44(2) of the principal Order is shown in that list in respect of a hereditament, the value shown as apportioned to the use of the hereditament for purposes other than the purposes of a private dwelling shall be deemed to be the net annual value of the hereditament shown in that list as continued in force under paragraph (5) (subject to any alteration of that list).

#### Commencement Information

- II** [Art. 11](#) wholly in operation at 1.4.2007; [art. 11](#) not in operation at date of making see [art. 1\(3\)](#); [art. 11\(2\)\(c\)\(d\)\(3\)\(4\)](#) in operation at 1.12.2006 by [S.R. 2006/464](#), [art. 2\(2\)](#), [Sch. 2](#) (with transitional provisions in [S.R. 2006/468](#), [art. 3\(1\)](#), [Sch.](#)); [art. 11](#) in operation at 1.4.2007 in so far as not already in operation by [S.R. 2006/464](#), [art. 2\(4\)](#)

#### New valuation lists

- 12.**—(1) Article 45 of the principal Order (new valuation lists) shall be amended as follows.
- (2) For paragraph (1) (preparation and issue of new valuation lists) there shall be substituted the following paragraph—
- “(1) The Department may require the Commissioner to prepare and publish a new valuation list containing a general revaluation of such hereditaments as the Department may determine.”.
- (3) In paragraph (2) (commencement of new valuation lists), for the word “issued” there shall be substituted the word “ published ”.

(4) For paragraph (3) (regulations with respect to new valuation lists) there shall be substituted the following paragraphs—

“(3) The manner, form and date of publication of a new valuation list shall be determined by the Department.

(3A) When the Commissioner publishes a new valuation list, he shall—

(a) send a certified copy of the list—

(i) to the Department; and

(ii) to each district council; and

(b) make the list available for inspection by the public in electronic form.”.

(5) In paragraph (4) (references to the valuation list), for the word “the” there shall be substituted the word “a”.

(6) For paragraph (5) (alteration of new valuation list before it comes into force) there shall be substituted the following paragraph—

“(5) The Commissioner may alter, and the district valuer may cause to be altered, a new valuation list in relation to any hereditament after the list has been published but before it comes into force and the Commissioner or, as the case may be, the district valuer shall serve a certificate showing any such alteration on—

(a) the Department;

(b) the occupier of the hereditament; and

(c) the district council or any water undertaker or sewerage undertaker, if the council or undertaker so requests.”.

(7) In paragraph (10) (power to make changes before issue of new valuation list), for the words “issue of the” there shall be substituted the words “publication of a”.

#### **Commencement Information**

**12** [Art. 12](#) wholly in operation at 1.12.2006, see [art. 1\(3\)](#) and [S.R. 2006/464](#), [art. 2\(2\)](#), [Sch. 2](#) (with transitional provisions in [S.R. 2006/468](#), [art. 3\(1\)](#), [Sch](#))

#### **Access to valuation lists**

**13.** For Article 46 of the principal Order (deposit and inspection of copies of valuation list) there shall be substituted the following Article—

##### **“Access to valuation lists**

**46.—(1)** The Commissioner shall take such steps as he considers appropriate to notify the public of the publication of a new valuation list.

(2) The Department and each district council shall arrange for facilities to be available at any reasonable time for the public to have access to the valuation lists in electronic form.

(3) After the publication of a new valuation list, the Department and each district council shall take such steps as they consider appropriate to notify the public of arrangements made by them under paragraph (2).

(4) Any person may require the Department or a district council to provide him with a copy of any part of a valuation list, in hard copy or in electronic form, on payment of such fee (if any) as the Department or the district council may determine.

(5) The fee for any such copy must not exceed the administrative cost of providing it.”.

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**Changes to legislation:** There are currently no known outstanding effects for the The Rates (Amendment) (Northern Ireland) Order 2006, PART III. (See end of Document for details)

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**Commencement Information**

- I3** [Art. 13](#) wholly in operation at 1.12.2006, see [art. 1\(3\)](#) and [S.R. 2006/464](#), [art. 2\(2\)](#), [Sch. 2](#) (with transitional provision in [S.R. 2006/468](#), [art. 3\(2\)](#))

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