

1976 No. 22

## VALUATION

**Revaluation (Consequential Provisions) Order (Northern Ireland) 1976**

Made . . . . . 2nd February 1976

Coming into operation . . . . . 1st April 1976

*To be laid before Parliament under paragraph 3(3) of Schedule 1 to the Northern Ireland Act 1974.*

The Department(a) of Finance, in exercise of the powers conferred on it by Article 45(7) and (8) of the Rates (Northern Ireland) Order 1972(b) and of every other power enabling it in that behalf, hereby makes the following order:

*Citation and commencement*

1. This order may be cited as the Revaluation (Consequential Provisions) Order (Northern Ireland) 1976 and shall come into operation on 1st April 1976.

*Modification of transferred provisions*

2. The transferred provisions mentioned in columns 1 to 3 of the Schedule (the general effect of which is indicated, in each case, in column 3) shall have effect subject to the modifications specified in column 4.

*Savings*

3. In relation to the Belfast Harbour Act 1883(c) and the Londonderry Port and Harbour Act 1920(d) notwithstanding anything contained in this order—

(a) a person who immediately before the 1st April 1976 held, or was qualified to hold, office as a Commissioner for the purposes of the enactments relating to—

(i) the port and harbour of Belfast;

(ii) the port and harbour of Londonderry;

shall not cease to hold, or be disqualified from holding, such office by reason only of the provisions of this order, so long as he remains in occupation of the premises in respect of which he held or was qualified to hold office at that time; and

(b) a person who immediately before the 1st April 1976, was registered as an elector under section 8 of the Belfast Harbour Act 1883, or under section 10 or section 11 of the Londonderry Port and Harbour Act 1920, shall not be disqualified from being registered or voting as such elector by reason only of the provisions of this order, so long as he remains in occupation of the premises in respect of which he was registered as an elector at that time.

(a) Formerly Ministry: see 1973 c. 36 s. 40 Sch. 5 para. 8(1)

(b) S.I. 1972/1633 (N.I. 16)

(c) 1883 c. lix

(d) 1920 c. lxxv

*Rent Restrictions Acts*

4. In relation to the Rent and Mortgage Interest (Restrictions) Acts (Northern Ireland) 1920 to 1967 notwithstanding any alteration in the rateable value or net annual value of dwelling-houses effected by the coming into force of the third general revaluation the said Acts shall continue to apply, subject to the provisions of those Acts, to dwelling-houses and mortgages to which the said Acts applied immediately before the said revaluation came into force.

*Repeals*

5. In consequence of the provisions of this order, sections 6, (1) to (6), 10 and 11 of the Revaluation (Amendment and Consequential Provisions) Act (Northern Ireland) 1957(e) are hereby repealed.

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 2nd February 1976.

(L.S.)

*F. G. Dougall*

Assistant Secretary

**SCHEDULE**

No. 22

Valuation

1 <i>Chapter or Number</i>	2 <i>Title</i>	3 <i>Relevant provision and subject matter</i>	4 <i>Modification</i>
10 & 11 Vict. c. 16	Commissioners Clauses Act 1847	Section 24 (in its application by section 12 of the Londonderry Port and Harbour Act 1854)(f)  (Scale of votes of owners and occupiers)	For the scale of votes of owners and occupiers substitute the following scale:  "If the property in respect of which he is entitled to vote be rated upon a rateable value of less than five hundred pounds, he shall have one vote:  If such rateable value amount to five hundred pounds and be less than eight hundred and fifty pounds, he shall have two votes:  If it amount to eight hundred and fifty pounds and be less than one thousand three hundred pounds, he shall have three votes:  If it amount to one thousand three hundred pounds and be less than one thousand eight hundred pounds, he shall have four votes:  If it amount to one thousand eight hundred pounds and be less than two thousand four hundred pounds, he shall have five votes:  And if it amount to or exceed two thousand four hundred pounds, he shall have six votes."

(f) 17 & 18 Vict. c. clxxvii, as amended by s. 2(2) of the Revaluation (Consequential Provisions) Act (Northern Ireland) 1936, 26 Geo. 5 & 1 Edw. 8 c. 11 (N.I.) ("the Act of 1936") and further amended by s. 6(6) of the Revaluation (Amendment and Consequential Provisions) Act (Northern Ireland) 1957, c. 5 (N.I.) ("the Act of 1957")

1 <i>Chapter or Number</i>	2 <i>Title</i>	3 <i>Relevant provision and subject matter</i>	4 <i>Modification</i>
46 & 47 Vict. c. lix	Belfast Harbour Act 1883	<p>Section 4(g) (Qualification of Commissioners)</p> <p>Section 8(h) (Qualification of electors)</p> <p>Section 16(i) (Scale of votes for occupiers)</p>	<p>For the words "one hundred and fifty pounds" wherever they occur substitute "nine hundred pounds".</p> <p>For "thirty-five pounds" substitute "two hundred and ten pounds".</p> <p>For the scale of votes for occupiers of premises substitute the following scale:</p> <p>"Of premises of two hundred and ten pounds and less than four hundred and eighty pounds net annual value . . . One vote.</p> <p>Of premises of four hundred and eighty pounds and less than nine hundred pounds net annual value . . . Two votes.</p> <p>Of premises of nine hundred pounds and less than one thousand five hundred pounds net annual value . . . Three votes.</p> <p>Of premises of one thousand five hundred pounds and less than two thousand one hundred pounds net annual value . . . Four votes.</p>

(g) As amended by s. 2(1)(a) of the Act of 1936 and further amended by s. 6(1) of the Act of 1957

(h) As amended by s. 2(1)(b) of the Act of 1936 and further amended by s. 6(2) of the Act of 1957

(i) As amended by s. 2(1)(c) of the Act of 1936 and further amended by s. 6(3) of the Act of 1957

1 Chapter or Number	2 Title	3 Relevant provision and subject matter	4 Modification
<p>40 81</p> <p>9 &amp; 10 Geo. 5 c. 45</p>	<p>Housing (Ireland) Act 1919</p>	<p>Section 6 (as substituted by section 1 of the Housing (Miscellaneous Provisions) Act (Northern Ireland) 1964)(j) (Compensation for certain unfit houses)</p>	<p>Of premises of two thousand one hundred pounds and less than two thousand seven hundred pounds net annual value Five Votes.</p> <p>Of premises of two thousand seven hundred pounds and upwards net annual value Six Votes".</p> <p>In subsection (3) for the words from "shall notwithstanding anything in subsection (1) or (2) of this section" to the end of the subsection, substitute "shall, notwithstanding anything in subsection (1) or (2) of this section, not be less than—</p> <p>(a) where the house was acquired prior to 1st April 1976, four times the net annual value of the house at the date of acquisition of the land comprising the house or, as the case may be, four times the net annual value of that part of the house at that date;</p> <p>(b) where the house was acquired on or after 1st April 1976, one and three-quarters times the net annual value of the house at the date of acquisition of the land comprising the house or, as the case may be, one and three-quarters times the net annual value of that part of the house at that date."</p>

1. <i>Chapter or Number</i>	2 <i>Title</i>	3 <i>Relevant provision and subject matter</i>	4 <i>Modification</i>
<p>2</p> <p>10 &amp; 11 Geo. 5 c. lxxv</p>	<p>Londonderry Port and Harbour Act 1920</p>	<p>Section 8(k) (Qualification of Commissioners)</p> <p>Section 9(k) (Nominees of joint stock companies to be qualified for election as Commissioner)</p> <p>Section 10(l) (Qualification of electors)</p> <p>Section 11(l) (Nominees of joint stock companies to be qualified electors)</p>	<p>In paragraph (B) for the words "one hundred pounds" wherever they occur substitute "six hundred pounds".</p> <p>In paragraph (B) for the words "one hundred pounds" wherever they occur substitute "six hundred pounds".</p> <p>In paragraph (B) for the words "forty two pounds" wherever they occur substitute "two hundred and fifty pounds".</p> <p>In paragraph (B) for the words "forty two pounds" wherever they occur substitute "two hundred and fifty pounds".</p>
<p>X</p> <p>1948 c. 4 (N.I.)</p>	<p>Development of Tourist Traffic Act (Northern Ireland) 1948</p>	<p>Second Schedule, paragraph 1 (as substituted by section 10(1) of the Development of Tourist Traffic (Amendment) Act (Northern Ireland) 1952(m) and amended by schedule 3 to the Administrative and Financial Provisions Act (Northern Ireland) 1965(n)) (Calculation of fees payable on registration certificates)</p>	<p>For "three and one-third per cent" substitute "one-third of one per cent".</p>

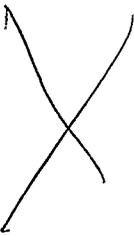
(k) As amended by s. 2(2)(a) of the Act of 1936 and further amended by s. 6(4) of the Act of 1957  
 (l) As amended by s. 2(2)(b) of the Act of 1936 and further amended by s. 6(5) of the Act of 1957  
 (m) 1952 c. 3 (N.I.) as amended by s. 10 of the Act of 1957  
 (n) 1965 c. 12 (N.I.)

1 <i>Chapter or Number</i>	2 <i>Title</i>	3 <i>Relevant provision and subject matter</i>	4 <i>Modification</i>
✓ 1952 c. 5 (N.I.)	Foyle Fisheries Act (Northern Ireland) 1952	Section 22(o) (Rates on fisheries)	In subsection (1) for "eight shillings" (to be read as forty pence(p)) substitute "seven pence".
✓ 1957 c. 19 (N.I.)	Betting and Lotteries Act (Northern Ireland) 1957	Section 7 (Grounds for refusal of certificate of suitability of premises)	In subsection (1)(f) for "forty pounds" and "thirty pounds" substitute respectively "two hundred and fifty pounds" and "two hundred pounds".
1959 c. 25 (N.I.)	County Courts Act (Northern Ireland) 1959	Section 12 (Jurisdiction in actions for the recovery of land and actions involving title to land) ✓  Section 15 (Jurisdiction as respects injunctions) ✓  Section 16 (Jurisdiction in equity matters) ✓  Section 17 (Jurisdiction in contentious probate matters) ✓  Section 18 (Power to grant limited administration) ✓	In subsection (1) for "seventy-five pounds" substitute "five hundred pounds".  In subsection (2) for "seventy-five pounds" substitute "five hundred pounds".  For the words "seventy-five pounds" wherever they occur substitute "five hundred pounds".  In paragraph (b) for "seventy-five pounds" substitute "five hundred pounds".  In paragraph (b) of subsection (1) for "seventy-five pounds" substitute "five hundred pounds".

(o) As amended by s. 11 of the Act of 1957  
 (p) See s. 10 Decimal Currency Act 1969 c. 19

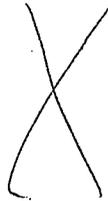
1 <i>Chapter or Number</i>	2 <i>Title</i>	3 <i>Relevant provision and subject matter</i>	4 <i>Modification</i>
X 1960 c. 15 (N.I.)	Inheritance (Family Provision) Act (Northern Ireland) 1960	Section 8 (as amended by section 5. of the Family Provision Act (Northern Ireland) 1969)(g) (Courts to which applications may be made)	For "one hundred and seventy-five pounds" substitute "one thousand two hundred and fifty pounds".
2 1971 c. 7 (N.I.)	Leasehold (Enlargement and Extension) Act (Northern Ireland) 1971	Section 33 (Interpretation)	In the definition of "ground rent" in paragraph (a) for "two-thirds" substitute "one-tenth" and in paragraph (b) for "and does not exceed the net annual value of the value of the land by more than half such value" substitute "and does not exceed one-quarter of the net annual value of the land".
✓ 1971 c. 23 (N.I.)	Planning and Land Compensation Act (Northern Ireland) 1971	Section 2 (as amended by paragraph 1(1) of Schedule 2 to the Land Acquisition and Compensation (Northern Ireland) Order 1973)(r) (Interests qualifying for protection under Part I)	For sub-paragraphs (ii) and (iii) of paragraph (b) of subsection (1) substitute: " (ii) in a hereditament the annual value of which does not exceed £2,250".  In subsection (4) for the words "or (iii) to £400 or £500, respectively", substitute "to £2,250".
[REDACTED] 1972 c. 3 (N.I.)	Housing on Farms Act (Northern Ireland) 1972	Section 2 (Restrictions on the making of grants under Part I)  Section 8 (Restrictions on the making of grants under Part III)	In paragraph (a) for "£50" substitute "£300".  In subsection (2) for "£50" substitute "£300".

1 Chapter or Number	2 Title	3 Relevant provision and subject matter	4 Modification
✓ 1972 c. 9 (N.I.)	Local Government Act (Northern Ireland) 1972	Section 115 (Expenditure for special purposes)	In subsection (2) for "3p" substitute "½p".
S.I. 1972/1633 (N.I. 16)	Rates (Northern Ireland) Order 1972 ✓	Article 20 (Rating of owners instead of occupiers in certain cases)	In sub-paragraph (a) of paragraph 1 for "£15.50" substitute "£85" and in sub-paragraph (b) of that paragraph for "£32" substitute "£200".
S.I. 1973/1896 (N.I. 21)	Land Acquisition and Compensation (Northern Ireland) Order 1973 ✓  <del>X</del>	Schedule 4 (Definitions relating to freight-transport hereditaments) ✓  Schedule 16 (Distinguishment of industrial hereditaments and freight-transport hereditaments)	In paragraph (b) of the definition of "freight-transport hereditament" for "£20" substitute "£100".  In paragraph 2(2)(b) for "£50" substitute "£300".
<del>X</del>		Article 31 (Amount of home loss payment)	For paragraph (1) substitute: "(1) Subject to paragraph (2) the amount of a home loss payment shall be— (a) where the date of displacement is before 1st April 1976, an amount equal to the net annual value of the dwelling at the time of displacement multiplied by twenty subject to a maximum of £1,500 and a minimum of £150;

1 <i>Chapter or Number</i>	2 <i>Title</i>	3 <i>Relevant provision and subject matter</i>	4 <i>Modification</i>
<p></p> <p>2 S.R. &amp; O. (N.I.) 1973 No. 313 (II, p. 1698)</p> <p>X S.R. 1974 No. 30</p>	<p>Local Government( Modification and Repeal of Transferred Provisions relating to Harbours) Order (Northern Ireland) 1973</p> <p>Housing (Payments for Well Maintained Houses) Order (Northern Ireland) 1974</p>	<p>Schedule 3 (Coleraine Harbour-Calculation of rate)</p> <p>Article 3 (Modification of particular provisions)(s)</p>	<p>(b) where the date of displacement is on or after 1st April 1976, an amount equal to the net annual value of the dwelling at the time of displacement multiplied by three subject to a maximum of £1,500 and a minimum of £150".</p> <p>In sub-paragraph (c) of paragraph (3) for the words "Rates (Northern Ireland) Order 1972" substitute "the provisions of the Rates (Northern Ireland) Order 1972 in force at the date of displacement".</p> <p>In paragraph (1) for "1st October 1973" contained in the definition of "C.D.C." substitute "1st April 1976".</p> <p>For "shall be twenty instead of nine" substitute "shall, instead of the multiplier of nine there mentioned, where the relevant date (as defined by paragraph 2(3) of that Schedule) is before 1st April 1976, be twenty and where the relevant date is on or after 1st April 1976, be five".</p>

(s) The provision modified is Schedule 1 to the Housing Act (Northern Ireland) 1961 c. 12 as set out in Schedule 2 to the Housing Act (Northern Ireland) 1971 c. 16

1 <i>Chapter or Number</i>	2 <i>Title</i>	3 <i>Relevant provision and subject matter</i>	4 <i>Modification</i>
S.R. 1974 No. 65	Rate Rebate Order (Northern Ireland) 1974	Schedule (Rate rebate scheme)	In paragraph 24 for "one hundred and thirty-five pounds" substitute "seven hundred and fifty pounds".
S.R. 1974 No. 181	Resettlement Grants Order (Northern Ireland) 1974	Article 5 (Eligibility for grant)	In paragraph (b)(ii) for "£45" substitute "£285".
S.R. 1975 No. 21	Housing (Determination of Unfitness) Order (Northern Ireland) 1975	Article 2 (Increase of multiplier in definition of "reasonable expense")	In Article 2 for "thirty times" substitute "nine times".



## EXPLANATORY NOTE

*(This note is not part of the order but is intended to indicate its general purport.)*

This order is consequential upon the third general revaluation of hereditaments for rating purposes.

It amends certain statutory provisions which operate by reference to specified amounts of rateable value or net annual value or to specified rates in the pound to take account of the upward trend of valuations generally which is disclosed by the revaluation.