
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 81

RATING AND VALUATION

**Valuation for Rating (Decapitalisation
Rate) Regulations (Northern Ireland) 1997**

Made - - - - *21st February 1997*

Coming into operation *1st April 1997*

The Department of Finance and Personnel(1), in exercise of the powers conferred on it by paragraph 6(2) of Part I of Schedule 12 to the Rates (Northern Ireland) Order 1977(3) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Valuation for Rating (Decapitalisation Rate) Regulations (Northern Ireland) 1997 and shall come into operation on 1st April 1997.

Interpretation

2.—(1) In these Regulations—

“the 1977 Order” means the Rates (Northern Ireland) Order 1977;

“church property” means any premises to the extent of which may fall within Article 41(2) (b) of the 1977 Order;

“contractors principle” means the method of ascertaining the net annual value of hereditaments by reference to their costs of construction or provision or to their capital value;

“decapitalisation rate” means the percentage rate which is applied to the cost of construction or provision or to the capital value of any hereditaments for the purpose of the contractors principle;

“hereditaments” means any hereditaments or any part of them.

(2) In these Regulations “educational establishment” means any hereditaments which are constructed or adapted for use, and which are wholly or mainly used for the purpose of—

(1) Formerly the Department of Finance. See S.I. 1982/338 (N.I. 6) Article 3

(2) As inserted by Article 12 of the Rates (Amendment) (Northern Ireland) Order 1996 (S.I. 1996/3162 (N.I. 25)); see the definitions of “prescribed” and “regulations” in Article 2(2) of S.I. 1977/2157 (N.I. 28)

(3) S.I. 1977/2157 (N.I. 28)

- (a) a school within the meaning of Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986⁽⁴⁾;
 - (b) an institution for the provision of further education within the meaning of Article 100 of the Education Reform (Northern Ireland) Order 1989⁽⁵⁾ which is managed by—
 - (i) an Education and Library Board; or
 - (ii) a body not established for profit;
 - (c) a higher education institution within the meaning of Article 30(3) of the Education and Libraries (Northern Ireland) Order 1993⁽⁶⁾ or a facility provided by an Education and Library Board under Article 101 of the Education Reform (Northern Ireland) Order 1989.
- (3) In these Regulations “healthcare property” means any hereditament constructed or adapted wholly or mainly either—
- (a) for the reception or treatment of persons suffering from any illness, injury or infirmity; or
 - (b) as a maternity home,
- and used for such a purpose.
- (4) Any reference in these Regulations to hereditaments used for any particular purpose includes a reference to hereditaments which are not for the time being in use but which when last in use were used for that purpose.

Application of Regulations

3. These Regulations apply in relation to the ascertainment of the net annual value of any hereditament for the purpose of any valuation list which comes into force on or after 1st April 1997.

Decapitalisation Rate

4. Where, for the purposes of paragraph 1 of Part I of Schedule 12 to the 1977 Order, the net annual value of a hereditament is ascertained by reference to the contractor’s principle in circumstances where these Regulations apply, the decapitalisation rate shall be—
- (a) 3.67 per cent in the case of any hereditaments consisting of any church property, healthcare property or an educational establishment; and
 - (b) 5.5 per cent in any other case.

Sealed with the Official Seal of the Department of Finance and Personnel on

L.S.

21st February 1997.

V. N. Hewitt
Assistant Secretary

(4) S.I. 1986/594 (N.I. 3)
(5) S.I. 1989/2406 (N.I. 20)
(6) S.I. 1993/2810 (N.I. 12)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations specify the percentage rate to be applied in relation to the notional cost of construction or provision or to the capital value of a hereditament where such a hereditament is valued by reference to the notional cost of constructing or providing it or to its capital value.

The Regulations also provide for different percentage rates to apply to different specified classes of hereditament included in a valuation list on or after 1st April 1997.