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## [<sup>F1</sup>EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations provide that, subject to certain preconditions being satisfied, the Department of Finance and Personnel (“the Department”) may enter into an agreement with an eligible person for the deferment of the payment of domestic rates. An eligible person is a person who is both the occupier and owner of a hereditament in respect of which domestic rates are payable and—

- (a) who, on 1st April in the rating year in which the agreement is entered into, has attained the qualifying age for state pension credit; or
- (b) is the partner of a person mentioned in paragraph (a) or the surviving partner of a person who had made an earlier agreement with the Department under these Regulations in respect of the same hereditament.

Among the conditions to be satisfied before an agreement can be entered into are—

- (a) a condition that the capital value shown in the capital value list for the hereditament should not be less than £50,000;
- (b) a condition that, subject to exceptions, the hereditament should be the only or principal residence of an eligible person, who has attained the qualifying age for state pension credit on 1st April in the rating year in which the agreement is entered into;
- (c) a condition that the value of the beneficial interest of eligible persons in the hereditament, as ascertained by the Department, should not be less than 40 per cent. of the market value of the hereditament – this condition does not apply in the case of a surviving partner of a person who had made an earlier agreement in respect of the same hereditament.

The Regulations also provide—

- (a) that an agreement shall contain the conditions set out in Schedule 2 to the Regulations and may contain such other conditions as the Department thinks fit;
- (b) that the amount outstanding under an agreement shall be a charge on the hereditament;
- (c) for the modification of various provisions of the Rates (Northern Ireland) Order 1977.]

**Changes to legislation:**

There are currently no known outstanding effects for the The Rates (Deferment) Regulations (Northern Ireland) 2010.