

2011 No. 395

RATES

**The Rates (Payments by Owners by Agreement) (Amendment)
Order (Northern Ireland) 2011**

Made - - - - - *9th November 2011*

Affirmed by resolution of the Assembly on 28th November 2011

Coming into operation - - - - - *1st April 2012*

The Department of Finance and Personnel makes the following Order in exercise of the powers conferred by Article 22(4) to (4D) of the Rates (Northern Ireland) Order 1977(a).

Citation and commencement

1. This Order may be cited as the Rates (Payments by Owners by Agreement) (Amendment) Order (Northern Ireland) 2011 and shall come into operation on 1st April 2012.

Amendments

2.—(1) In Article 21(1)(b) of the Rates (Northern Ireland) Order 1977 (payment of rates by owners by agreement) for “15 per cent.” there shall be substituted “12.5 per cent.”.

(2) The Department of Finance and Personnel hereby directs that for any percentage specified in an existing agreement in respect of—

- (a) a hereditament owned by a housing association, there shall be substituted 10 per cent;
- (b) a hereditament owned by a person other than a housing association or the Northern Ireland Housing Executive, there shall be substituted 12.5 per cent.

(3) In paragraph (2) “housing association” has the meaning assigned to it by Article 3 of the Housing (Northern Ireland) Order 1992(c).

Revocation

3. The Rates (Payment by Owners by Agreement) (Amendment) Order (Northern Ireland) 2007(d) is revoked.

(a) S.I. 1977/2157 (N.I. 28); paragraph (4) of Article 22 was inserted by Article 4 of the Local Government, Planning and Land (Northern Ireland) Order 1981 (S.I. 1981/437 (N.I.13)) and paragraphs (4A) to (4D) of that Article were inserted by section 12 of the Rates (Amendment) Act (Northern Ireland) 2009 (2009 c.8 (N.I)).

(b) Article 21 was amended by Article 4 of the Rates (Amendment) (Northern Ireland) Order 1998 (S.I. 1998/3164 (N.I. 22)) and by S.R. 2007 No. 2.

(c) S.I. 1992/1725 (N.I. 15)

(d) S.R. 2007 No. 2.

Sealed with the Official Seal of the Department of Finance and Personnel on 9th November 2011



Brian McClure
A senior officer of the Department of Finance and Personnel

EXPLANATORY NOTE

(This note is not part of the Order)

Under Article 21(1) of the Rates (Northern Ireland) Order 1977 the owner of any hereditament the rent of which becomes payable or is collected at intervals shorter than quarterly may by agreement in writing with the Department of Finance and Personnel (“the Department”) undertake to pay the rates chargeable in respect of the hereditament whether it is occupied or not. The Department may agree, where the owner so undertakes and pays over to the Department on or before the date or dates specified in the agreement the amounts payable by him thereunder, to make an allowance not exceeding 15 per cent. This Order reduces the maximum amount of that allowance to 12.5 per cent. (Article 2(1)). It also provides that for any allowance specified in an existing Article 21(1) agreement in respect of a hereditament owned by—

- (a) a housing association, there shall be substituted an allowance of 10 per cent. (Article 2(2)(a));
- (b) a person or body other than a housing association or the Northern Ireland Housing Executive, there shall be substituted an allowance of 12.5 per cent. (Article 2(2)(b)).

The Rates (Housing Executive) Order (Northern Ireland) 2011 (S.R. 2011 No.57), reduced from 15 per cent. to 10 per cent. the allowance under any existing Article 21(1) agreement in respect of a hereditament owned by the Northern Ireland Housing Executive.

This Order also makes a consequential revocation (Article 3).

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