

1973. No. 37

LOCAL GOVERNMENT**Determination of Rates****Local Government (Determination of Rates) Order
(Northern Ireland) 1973***Made* 20th February 1973*Coming into operation* 12th March 1973*To be laid before the Parliament of the United Kingdom
under Article 5(2) of the Local Government (Postponement
of Elections and Reorganisation) (Northern Ireland)
Order 1972*

In exercise of the power conferred upon me by Article 5(1) of the Local Government (Postponement of Elections and Reorganisation) (Northern Ireland) Order 1972(a) I hereby order as follows:—

Citation and commencement

1. This Order may be cited as the Local Government (Determination of Rates) Order (Northern Ireland) 1973 and shall come into operation on 12th March 1973.

Interpretation

2. In this order—

“authority” means an existing rating authority, but does not include a new town commission exercising municipal functions;

“balance” in relation to a chargeable area means—

- (a) where the chargeable area is the county borough of Belfast, the balance on the city fund account;
- (b) where the chargeable area is a borough other than a county borough or is an urban district, the combined balances on—
 - (i) the borough or town rate account,
 - (ii) the poor rate account, and
 - (iii) the account kept by the county council in respect of urban charges relating to the borough or urban district;
- (c) where the chargeable area is a rural district, the combined balances on the accounts kept by the county council in respect of—
 - (i) county at large charges, and
 - (ii) district charges relating to the rural district;

“balance at 31st March 1972” means the balance or estimated balance taken into account in fixing the amount in the pound of rates made for the year ending on 31st March 1973 expressed as a rate poundage;

“balance at 31st March 1973” means the prospective balance at that date, as estimated by the chief financial officer of the authority concerned, expressed as a rate poundage;

“basic rate for 1972/73” means—

- (a) in relation to any chargeable area other than a rural district, the amount in the pound of rateable value of the rates made by the authority for the area for the year ending on 31st March 1973 excluding any amounts representing separate charges or drainage contributions; and
- (b) in relation to a rural district, the amount in the pound of rateable value of the rates made by the county council for—
 - (i) county at large charges,
 - (ii) district charges relating to the rural district, and
 - (iii) separate charges in relation to the supply of water or to playing fields in respect of any part of the rural district,
 for the year ending on 31st March 1973 excluding any amounts representing separate charges (except charges in relation to the supply of water or to playing fields) or drainage contributions;

“chargeable area” means the county borough of Belfast, a borough other than a county borough, an urban district or a rural district;

“chief financial officer” means the officer of an authority designated as such under section 20 of the Local Government Act (Northern Ireland) 1966(b);

“drainage contributions” means the contributions payable to the Ministry of Agriculture under section 23 of the Drainage Act (Northern Ireland) 1947(c) and section 19 of the Drainage Act (Northern Ireland) 1964(d);

“net annual value” means the net annual value of all hereditaments not distinguished as exempt under section 2 of the Valuation (Ireland) Act 1854(e) or under section 12 or section 22 of the Foyle Fisheries Act (Northern Ireland) 1952(f);

“rate poundage”, in relation to any chargeable area, means—

- (a) for the purpose of expressing as a rate poundage the amount of—
 - (i) any separate charges which are required by any statutory provision to be raised by reference to the net annual value of hereditaments, and
 - (ii) drainage contributions,
 an amount in the pound of the net annual value of every hereditament in the area; and
- (b) for any other purpose, an amount in the pound of the rateable value of every hereditament in the area;

“separate charges” has the same meaning as in the Local Government (Finance) (No. 2) Act (Northern Ireland) 1958(g).

Determination of rates

3.—(1) An authority may determine the aggregate amount in the pound of the rates to be made by the authority for the period of six months ending on 30th September 1973 in respect of any chargeable area by determining the basic amount in accordance with paragraph (2) and adding to the basic amount the amount, expressed as a rate poundage, of any separate charges (other than separate charges in relation to the supply of water or to playing fields in respect of any part of a rural district) and drainage contributions.

(b) 1966. c. 38 (N.I.).

(c) 1947. c. 9.

(d) 1964. c. 31 (N.I.).

(e) 17 & 18 Vict. c. 8.

(f) 1952. c. 5.

(g) 1958. c. 25.

(2) The basic amount may be determined by taking one-half of the basic rate for 1972/73, increasing it by 5½%, and either—

- (a) adding one-half of the balance at 31st March 1972, if a surplus, or deducting one-half of that balance, if a deficit; and adding the balance at 31st March 1973 if a deficit, or deducting that balance, if a surplus; or
- (b) adding one-quarter of the balance at 31st March 1972, if a surplus, or deducting one-quarter of that balance, if a deficit.

W. S. I. Whitelaw,
One of Her Majesty's Principal
Secretaries of State.

EXPLANATORY NOTE

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

This Order sets out a formula in accordance with which rates may be made by existing rating authorities for the period of six months ending on 30th September 1973. The formula allows for an increase of 5½% in the basic amount of rates, which means, for the purposes of the order, the amount in the pound of rates exclusive of items of rate raised to meet either certain separate charges (i.e. charges for particular services or confined to particular localities or to defray criminal injuries compensation) or contributions towards expenses of land drainage. To take account of the fact that the amount in the pound of rates made by rating authorities for 1972/73 was in many cases depressed by reason of the appropriation of cash balances in aid of rates, the Order requires a further adjustment to be made in the basic amount by reference to those balances. At the option of each authority the adjustment may be made either by reference to one-half of those balances taken in conjunction with the corresponding estimated balances at 31st March 1973 or by reference to one-quarter of those balances (without regard to any balances at 31st March 1973).