
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 231

RATES

**The Rates (Unoccupied Hereditaments)
(Amendment) Regulations (Northern Ireland) 2017**

Made - - - - 4th December 2017

Coming into operation 5th December 2017

The Department of Finance⁽¹⁾ makes the following Regulations in exercise of the powers conferred by Article 25A(6) of, and paragraph 1(1) to (3) of Schedule 8A to, the Rates (Northern Ireland) Order 1977⁽²⁾.

Citation and commencement

1. These Regulations may be cited as the Rates (Unoccupied Hereditaments) (Amendment) Regulations (Northern Ireland) 2017 and shall come into operation on 5th December 2017.

Amendment of the Rates (Unoccupied Hereditaments) Regulations (Northern Ireland) 2011

2. In the Schedule to the Rates (Unoccupied Hereditaments) Regulations (Northern Ireland) 2011⁽³⁾, after paragraph 19 there shall be added the following paragraph—

“**20.**—(1) Subject to the conditions in sub-paragraph (2), the hereditament is located in an area included within a scheme made under Article 26 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992⁽⁴⁾ and the person entitled to possession of the hereditament has qualified for payment from a council assisted under that scheme.

(2) Sub-paragraph (1) applies only to a hereditament which—

(a) is unoccupied due to flooding following heavy rain or tidal surge;

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- (1) The Department of Finance, as originally named in the Rates (Northern Ireland) Order 1977, was renamed as the Department of Finance and Personnel by Article 3(7) of, and Schedule 1 to, the Departments (Northern Ireland) Order 1999 (1999 No. 283 (N.I. 1)). Renamed as the Department of Finance by section 1(4) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.)).
- (2) S.I. 1977/2157 (N.I. 28); Article 25A and Schedule 8A were inserted by Article 4 of, and Schedule 1 to, the Rates (Amendment) (Northern Ireland) Order 2004 (S.I. 2004/703 (N.I. 4)); paragraph 1 of Schedule 8A was amended by Article 22 of the Rates (Amendment) (Northern Ireland) Order 2006 (S.I. 2006/2954 (N.I. 18)); Article 25A and Schedule 8A were further amended by section 6 of the Rates (Amendment) Act (Northern Ireland) 2009 (2009 c. 8 (N.I.)).
- (3) S.R. 2011 No. 36 as amended by S.R.2013 No. 47, S.R. 2013 No. 80 and S.R. 2014 No. 69.
- (4) S.I. 1992/810 (N.I. 6)

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- (b) has been so unoccupied for a continuous period not less than four weeks; and
 - (c) when last in occupation was the only or principle residence of the person now entitled to possession of the hereditament.
- (3) Where sub-paragraph (2)(b) applies the exclusion for the unoccupied hereditament will be up to a maximum of six months per incident.”

Sealed with the Official Seal of the Department of Finance on 4th December 2017



Brian McClure
A senior officer of the Department of Finance

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations amend the Schedule to the Rates (Unoccupied Hereditaments) Regulations (Northern Ireland) 2011 ([S.R. 2011 No. 36](#)) (“the 2011 Regulations”) to provide an exemption from unoccupied rates for a person who has qualified for assistance under a scheme made under Article 26 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992 (“the 1992 Order”) where the conditions in paragraph 20(2) of the Schedule to the 2011 Regulations are also met. Article 26 of the 1992 Order provides for schemes of emergency financial assistance to district councils in the event of flooding following heavy rain or tidal surge.