



## 2009 CHAPTER 8

### *Miscellaneous*

#### **Power to alter existing agreements under Article 21 of the principal Order**

**12.—**(1) Article 22 of the principal Order (provisions supplementary to Articles 20 and 21) shall be amended as follows.

(2) After paragraph (4) (power to substitute percentage mentioned in Article 20(4) or 21(1)) there shall be inserted the following paragraphs—

“(4A) In paragraphs (4B) and (4C) “existing agreement”, in relation to an order under either of those paragraphs, means an agreement under Article 21 which is in force on the commencement of the order under that paragraph.

(4B) Where the Department makes an order under paragraph (4), the Department may by order direct that for any percentage specified in an existing agreement there shall be substituted such other percentage as may be specified in the order under this paragraph.

(4C) The Department may by order direct that for any percentage mentioned in an existing agreement in respect of a hereditament of a class specified in the order there shall be substituted such other percentage as may be specified in the order.

(4D) The power conferred by paragraph (4C) is exercisable whether or not it is exercised in consequence of an order under paragraph (4).”.

(3) In paragraph (5) (orders subject to affirmative resolution and date of commencement), after “(4)” there shall be inserted “, (4B) or (4C)”.

**Certain regulations under Article 23A of the principal Order to be subject to negative resolution instead of affirmative resolution**

**13.**—(1) Article 61 of the principal Order (regulations) shall be amended as follows.

(2) In paragraph (2A) (regulations subject to affirmative resolution), for the word “or” there shall be substituted the words “, except those made under paragraph (a) of the definition of “hereditament in the social sector” in paragraph (3) of that Article, and regulations made under”.

(3) In paragraph (2B) (regulations subject to negative resolution), after the word “those” there shall be inserted the word “regulations”.

**Removal of exclusion of private dwellings from deemed completion days for new buildings**

**14.** In Schedule 8B to the principal Order (new buildings (completion days)), in paragraph 1 sub-paragraphs (6) to (8) shall cease to have effect.

**Temporary power to make grants to councils relating to maximum or minimum capital value changes**

**15.**—(1) The Department may, in respect of the years ending on 31st March 2010 and 31st March 2011, make grants to district councils of such part of the relevant amount as the Department thinks fit.

(2) In subsection (1) “the relevant amount”, in relation to a year ending on 31st March 2010 or on 31st March 2011, means an amount equal to the difference between—

- (a) the amount of the product of the district rate in that year, and
- (b) the amount which, but for regulations made under Article 18 of the principal Order, would have been the amount of that product.

(3) In subsection (2) “product” and “district rate” have the same meaning as in the principal Order.