

SCHEDULES

SCHEDULE 5

DEFINITION OF “DWELLING-HOUSE”, ETC.

Annotations:

Modifications etc. (not altering text)

- C1** [Sch. 5](#)
applied (with modifications) (1.4.2006) by
[Rates \(Capital Values, etc.\) \(Northern Ireland\) Order 2006 \(S.I. 2006/611 \(N.I. 4\)\)](#)
,
[arts. 1\(3\)](#)
,
[3\(3\)](#)
,
[Sch. 1 para. 1\(1\)\(2\)](#)
,
[S.R. 2006/146](#)
,
[art. 2](#)

4.—(1) A hereditament shall not be deemed to be used otherwise than wholly for the purposes of a private dwelling by reason that a person who resides in the hereditament, or in part thereof, is required or permitted to reside therein in consequence of his employment or of holding an office.

(2) Without prejudice to sub-paragraph (1), a hereditament shall be deemed to be used wholly for the purposes of a private dwelling if it is, or is treated for the purposes of Article 41 as,—

- (a) of a description mentioned in paragraph (2) of that Article, and
- (b) used wholly for domestic purposes within the meaning of that Article;

and where—

- (i) a hereditament is treated for the purposes of that Article as of a description so mentioned by reason of a distinct part of the hereditament being of that description and that part is used as mentioned in head (b), or
- (ii) a distinct part of a hereditament is treated for the purposes of that Article as of a description so mentioned and as so used,

[^{F1}that part] shall be deemed to be used for the purposes of a private dwelling.

Annotations:

- F1** Words in
[Sch. 5 para. 4\(2\)](#)
substituted (1.12.2006) by
[Rates \(Amendment\) \(Northern Ireland\) Order 2006 \(S.I. 2006/2954 \(N.I. 18\)\)](#)
,
[arts. 1\(3\)](#)

Changes to legislation: Rates (Northern Ireland) Order 1977, Section 4 is up to date with all changes known to be in force on or before 12 October 2018. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

,
39
,
Sch. 2 para. 41(5)
;
S.R. 2006/464
,
art. 2(2)
,
Sch. 2
(with transitional provisions in
S.R. 2006/468
,
art. 3(1)
,
Sch.
)

Changes to legislation:

Rates (Northern Ireland) Order 1977, Section 4 is up to date with all changes known to be in force on or before 12 October 2018. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 7(6)(7) added by
[S.I. 2006/2954 \(N.I.\)](#)
art. 4