

SCHEDULE

Regulations 2(2) and (3) and 3(b)

Conditions referred to in regulation 3(b)

1. The whole hereditament has, subject to regulation 2(2), been unoccupied for a continuous period not exceeding three months.
2. The whole hereditament has, subject to regulation 2(2), been unoccupied for a continuous period not exceeding twelve months and the person entitled to possession of the hereditament throughout that period is a person which—
 - (a) is a company limited by guarantee within the meaning of Article 12(2) of the Companies (Northern Ireland) Order 1986(1);
 - (b) is funded in respect of its capital costs, in whole or in part, by a public body; and
 - (c) provides accommodation and support services for a trade or business.
3. The hereditament is a qualifying industrial hereditament.
4. The person entitled to possession of the hereditament is prohibited by law from occupying it or allowing it to be occupied.
5. The hereditament is kept vacant by reason of action taken by or on behalf of any public body with a view to prohibiting its occupation or to acquiring it.
6. Any building or part of a building comprising the hereditament or part of the hereditament is included in a list compiled under Article 42 of the Planning (Northern Ireland) Order 1991(2) or is the subject of a building preservation notice within the meaning of Article 42A of that Order.
7. Any building or part of a building comprising the hereditament or part of the hereditament is included in the Schedule of monuments compiled under Article 3(1) of the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995(3).
8. The rateable net annual value of the hereditament is less than £2,000.
9. The person entitled to possession of the hereditament is so entitled only in his capacity as the personal representative of a deceased person.
10. There subsists in respect of the estate of the person entitled to possession of the hereditament a bankruptcy order within the meaning of Parts I and VIII to X of the 1989 Order.
11. The person entitled to possession of the hereditament is so entitled in his capacity as a trustee under a deed of arrangement to which Chapter 1 of Part VIII of the 1989 Order applies.
12. The person entitled to possession of the hereditament is a company which is subject to a winding-up order made under the 1989 Order or which is being wound up voluntarily under that Order.
13. The person entitled to possession of the hereditament is so entitled in his capacity as liquidator by virtue of an order made under Article 98 or Article 123 of the 1989 Order.
14. The person entitled to possession of the hereditament is the Foyle, Carlingford and Irish Lights Commission.

(1) S.I. 1986/1032 (N.I. 6); Article 12 was amended by S.R. 1992 No. 405

(2) S.I. 1991/1220 (N.I. 11); Article 42A was inserted by Article 25 of the Planning (Amendment) (Northern Ireland) Order 2003 (S.I. 2003/430 (N.I. 8))

(3) S.I. 1995/1625 (N.I. 9)