

## **EXPLANATORY MEMORANDUM TO**

### **Rates (Unoccupied Hereditaments) (Amendment No.2) Regulations (Northern Ireland) 2013**

**S.R. 2013 No. 80**

#### **1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department of Finance and Personnel (“the Department”) to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Article 25A(6) of, and paragraph 1(1) to (3) of Schedule 8A to, the Rates (Northern Ireland) Order 1977 (S.I. 1977/2157 (N.I. 28) (“the 1977 Order”) and is subject to the negative resolution procedure.

#### **2. Purpose**

- 2.1. The draft Rule amends the Rates (Unoccupied Hereditament) Regulations (Northern Ireland) 2011 (S.R. 2011 No. 36) (“the principal Regulations”). It provides for an additional exemption from unoccupied rates. The additional exemption is for SPED properties (Scheme for the Purchase of Evacuated Dwellings).
- 2.2. To qualify as a SPED property a dwelling must be owner-occupied and must be the owner’s only or principal home. The SPED scheme is provided for under Article 29 (scheme for purchase of evacuated dwellings) of the Housing (Northern Ireland) Order 1988.
- 2.3. There must be evidence (substantiated by the PSNI) that it is unsafe for the applicant under the SPED scheme or a member of the applicant’s household to continue to live in the house, because that person has been directly or specifically threatened or intimidated and as a result is at risk of serious injury or death. A certificate stating this, signed by the Chief Constable of the Police Service of Northern Ireland, or authorised signatory, must be provided to the Northern Ireland Housing Executive.

#### **3. Background**

- 3.1. The rating of empty homes was introduced on 1st October 2011.

#### **4. Consultation**

- 4.1. The policy to introduce the rating of empty homes was a key outcome of the Executive’s Review of domestic rating in 2007. A consultation report, setting out the way forward on a range of policy issues, was published on 6 January 2009. Full details of the consultation process and associated documentation can be accessed at the Rating Policy Division website at the following link:- <http://www.dfpni.gov.uk/rating-review>
- 4.2. No further consultation was deemed necessary in relation to this amendment.

## **5. Equality Impact**

- 5.1. An EQIA was carried out at as part of the initial policy development on the rating of empty homes.
- 5.2. It is the Department's assessment that no further EQIA is required in relation to this amendment.

## **6. Regulatory Impact**

- 6.1. A regulatory impact assessment was not considered necessary as the Rule does not result in any new direct cost to business, charities or voluntary bodies.

## **7. Financial Implications**

- 7.1. There are relatively few of these cases therefore revenue forgone through exclusion from unoccupied rates is expected to be in the region of £10,000 per annum.

## **8. Section 24 of the Northern Ireland Act 1998**

- 8.1. It is the view of the Department that these Regulations are compatible with section 24 of the Northern Ireland Act 1998.

## **9. EU Implications**

- 9.1. There are no relevant European Regulations or Directives.

## **10. Parity or Replicatory Measure**

- 10.1. There is no corresponding Great Britain legislation.

## **11. Additional Information**

- 11.1. Not applicable.