

*These notes refer to the Rates (Amendment) Act (Northern Ireland)
2009 (c.8) which received Royal Assent on 3 November 2009*

Rates (Amendment) Act (Northern Ireland) 2009

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 3: Energy efficiency

This section inserts a new Article 30D into the Rates (Northern Ireland) Order 1977. Paragraph (1) enables the Department of Finance and Personnel to make regulations providing in prescribed cases for the rates payable in respect of a dwelling house to be reduced by an amount to be prescribed in regulations. Paragraph (2) stipulates that the dwelling house must be one to which prescribed measures to improve its energy efficiency have been taken to a prescribed standard and which meets certain prescribed conditions. Paragraph (3) defines certain terms for the purposes of the Article. Paragraph (4) confines the reduction to one year except in prescribed cases and time limits the scheme to 31 March 2015. Paragraph (5) enables the Department of Finance and Personnel to alter this end date by subordinate legislation subject to affirmative resolution and make any transitional or savings provisions required on the ending of the scheme.

Paragraph (6) enables the Department of Finance and Personnel to stipulate in the regulations that a reduction will not be made unless a person has consented to the inspection of the dwelling and to make further provision in relation to such inspections. Paragraph (7) also enables provision to be made in regulations for the method of claiming a reduction and the method of making a reduction under this Article.

Paragraph (8) allows regulations to provide for certain functions to be carried out by persons other than the Department. Appeals against a decision by the Department of Finance and Personnel made under the regulations can also be provided for in regulations by virtue of paragraph (9). Paragraph (10) lists certain exclusions which can also be provided for in regulations.

Paragraph (11) allows the reduction in rates to be applied in respect of a period before the making of the regulations but not before the beginning of the rating year. Paragraph (12) enables the Department of Finance and Personnel through regulations to make any other provisions deemed necessary for the purposes of this scheme.