

SCHEDULES

SCHEDULE 1

Section 17.

MINOR AND CONSEQUENTIAL AMENDMENTS

The principal Order

1. In Article 2(2) (interpretation), after the definition of “public utility undertaking” insert the following definition—

““railway company” means a body operating a railway undertaking;”.

2. In Article 9 (levying of rates), in paragraph (3), for the words from “the succeeding” to “instalments” substitute “Article 29 or 29A or Schedule 9”.

3. In Article 37 (hereditaments), after paragraph (4) add the following paragraph—

“(5) Regulations under paragraph (4) may include rules for ascertaining—

- (a) whether the different hereditaments or the one hereditament (as the case may be) shall be treated as occupied or unoccupied;
- (b) who shall be treated as the owner or occupier of the different hereditaments or the one hereditament (as the case may be).”.

4. In Article 50 (alteration in valuation list by Commissioner), head (iv) of paragraph (1)(a) (power to alter valuation list to show the net annual value of certain hereditaments) shall cease to have effect.

5. In Article 52 (procedure on appeal to Commissioner), in paragraph (4A)(b), for the words from “12(1)” to the end substitute “15 of Part 1 of Schedule 12 (subject to paragraphs 7(3) and 12)”.

6. In Article 56 (supplementary provisions as to alterations, etc.), in paragraph (8)(d) (service of certificates of certain alterations), for “, (iii), (iv) or (v)” substitute “or (iii)”.

7. In Schedule 8A (unoccupied hereditaments), in paragraph 1(1), at the end of head (a) insert “and”.

8. In Schedule 8B (new buildings (completion days)), for paragraph 9 substitute the following paragraph—

“9.—(1) The appellant may appeal to the appropriate Tribunal from a decision of the Commissioner on an appeal under paragraph 4.

(2) Paragraphs (2) and (3) of Article 54 (appeal from decision of Commissioner) shall apply on an appeal under this paragraph as they apply on an appeal under that Article (and Article 54A applies accordingly).”

9. Entry 9 (sewers, etc.) in Schedule 11 (properties not to be treated as hereditaments) shall be deemed never to have been repealed by Article 308(2) of, and Schedule 13 to, the [Water and Sewerage Services \(Northern Ireland\) Order 2006 \(NI 21\)](#) and in the third column of that entry, for “Public Health (Ireland) Act 1878” substitute “Water and Sewerage Services (Northern Ireland) Order 2006”.

10. In Part 1 of Schedule 12 (basis of valuation – general rule), in paragraph 3A(1) (estimated net annual value during deemed completion period), after “net annual value” insert “or capital value”