



2011 CHAPTER 10

PART 4

MISCELLANEOUS POWERS TO MAKE PAYMENTS

*Limit on expenditure under sections 37 and 39*

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**40.—**(1) The total payments made under sections 37 and 39 (taken together) by a council in any one financial year shall not exceed the aggregate of—

- (a) the product of a rate of 0.0596p in the pound on the rateable value of all hereditaments in a NAV list in the district; and
- (b) the product of a rate of 0.00082p in the pound on the rateable capital value of all hereditaments in a capital value list in the district.

(2) The Department may by order substitute a different amount for any amount specified in subsection (1).

(3) An order shall not be made under subsection (2) unless a draft of the order has been laid before, and approved by resolution of, the Assembly.

(4) For the purposes of this section—

“capital value” means capital value for the purposes of the [Rates \(Northern Ireland\) Order 1977 \(NI 28\)](#) and shall be construed in accordance with Article 39 of that Order;

“NAV list” has the meaning given by Article 40(1)(a) of the [Rates \(Northern Ireland\) Order 1977](#).