**EXPLANATORY MEMORANDUM TO**

**The Rates (Unoccupied Property) (Prescribed Information) Regulations (Northern Ireland) 2010**

**SR 2010 No. 324**

## 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 26(2A) of the Rates (Northern Ireland) Order 1977 (as inserted by Article 6 of the Rates (Amendment) (Northern Ireland) Order 2004 and extended by section 6(5) of the Rates (Amendment) Act (Northern Ireland) 2009) and is subject to the negative resolution procedure.

## 2. Purpose

2.1. The purpose of the Statutory Rule is to extend to the domestic sector existing powers requiring the provision of information concerning vacant non-domestic property for the purpose of identifying relevant ratepayers. This Rule is being made in advance of the rating of empty homes from 1 October 2011.

2.2. Regulation 1 provides for citation, commencement and interpretation concerning the Rule.

2.3. Regulation 2 outlines the information to be provided to the Department from a relevant person for the purposes of administering the rating of both empty homes and empty commercial property.

2.4. Regulation 3 revokes The Non-Domestic Rating (Unoccupied Property) (Prescribed Information) Regulations (Northern Ireland) 2004.

## 3. Background

3.1. At present rates are only payable, in accordance with Article 25A of the Rates (Northern Ireland) Order 1977 (as amended) on unoccupied properties within the non-domestic sector.

3.2. The decision to extend the policy and rate empty homes was announced by the Northern Ireland Executive in 2007, subject to further consultation. The Minister of Finance and Personnel, Sammy Wilson, MP, MLA postponed its introduction until 2011, due to the economic downturn and the poor state of the market for sales and lettings.

3.3. On 29 June 2010 the Minister announced that the rating of empty homes would commence from 1 October 2011.

## 4. Consultation

4.1. This Statutory Rule extends existing non-domestic provision to the domestic sector as a consequence of the decision to rate empty homes from 1 October 2011.

4.2. Consultation on the detailed policy for the rating of empty homes was undertaken between May and August 2008 and the way forward subsequently set out in a consultation report in 2009. Further details on the consultation paper and subsequent consultation report can be found on the Rating Review website at www.ratingreviewni.gov.uk.

4.3. No additional consultation is deemed necessary in relation to this provision which is a consequence of wider policy decisions on the rating of empty homes.

**5. Equality Impact**

5.1. It is the Department's assessment that there are no new equality impact implications in respect of this Rule.

**6. Regulatory Impact**

6.1. The impact of this Statutory Rule is subsumed within the overall impact of vacant rating policy in Northern Ireland. In respect of the rating of empty homes, this Rule extends existing vacant rating provision to allow for introduction of that policy. This Rule is the first of a series of Statutory Rules, required to implement the policy to rate empty homes.

**7. Financial Implications**

7.1. There are no financial implications in relation to this Statutory Rule. The Rule is implemented as part of the administrative arrangements for the introduction of the rating of empty homes on 1 October 2011.

**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. None associated with this Rule.

**10. Parity or Replicatory Measure**

10.1. Not applicable.

**11. Additional Information**

11.1. Not applicable.