STATUTORY RULES OF NORTHERN IRELAND

2010 No. 104

RATES

The Valuation Tribunal (Amendment) Rules (Northern Ireland) 2010

Made - - - -	*10th March 2010*
Coming into operation -	*9th April 2010*
To be laid before Parliament	

The Lord Chancellor makes the following Rules in exercise of the powers conferred by Article 36A(3) of, and paragraphs 7 to 13 of Schedule 9B to, the Rates (Northern Ireland) Order 1977(**a**).

Citation and commencement

1. These Rules may be cited as the Valuation Tribunal (Amendment) Rules (Northern Ireland) 2010 and shall come into operation on 9th April 2010.

Amendment to the Valuation Tribunal Rules (Northern Ireland) 2007

2. The Valuation Tribunal Rules (Northern Ireland) 2007(**b**) shall be amended in accordance with rules 3 to 6.

3.—(1) In rule 2(1) (*Interpretation*)—

(a) after the definition of "the 2008 Regulations" insert—

"the 2010 (Energy Efficiency Homes Scheme) Regulations" means the Rate Relief (Energy Efficiency Homes Scheme) Regulations (Northern Ireland) 2010(**c**);

"the 2010 (Low-Carbon Homes Scheme) Regulations" means the Rate Relief (Low-Carbon Homes Scheme) Regulations (Northern Ireland) 2010(**d**);";

(b) in the definition of "appeal"—

(i) in paragraph (b) omit "or"; and

(ii) after paragraph (c) insert—

"(d) regulation 9(1) of the 2010 (Energy Efficiency Homes Scheme) Regulations; or

(e) regulation 10(1) of the 2010 (Low-Carbon Homes Scheme) Regulations;"; and

(c) in the definition of "respondent" for paragraph (a) substitute—

"(a) in relation to an appeal under Article 13(3) or 31A(12B) of the 1977 Order; regulation 12(1) of the 2007 Regulations, regulation 9(1) of the 2010 (Energy

(**a**) S.I. 1977/2157 (N.I. 28); Article 36A was inserted by Article 29(1) of the Rates (Amendment) (Northern Ireland) Order 2006, S.I. 2006/2954 (N.I. 18) and Schedule 9B was inserted by Article 29(2) of, and Schedule 1 to, that Order.
(**b**) S.R. 2007 No. 182 as amended by S.R. 2008 No. 153.
(**c**) S.R. 2010 No. 67.
(**d**) S.R. 2010 No. 66.

Efficiency Homes Scheme) Regulations or regulation 10(1) of the 2010 (Low Carbon Scheme) Regulations, means the Department;".

4. In rule 5 (*Notice of appeal*) after paragraph (e) insert—

"(f) an appeal under regulation 9(1) of the 2010 (Energy Efficiency Homes Scheme) Regulations shall be instituted by delivering to the Secretary a notice of appeal in accordance with Form 6 within 28 days of the Department issuing the notice of the result of the review;

(g) an appeal under regulation 10(1) of the 2010 (Low-Carbon Homes Scheme) Regulations shall be instituted by delivering to the Secretary a notice of appeal in accordance with Form 7 within 28 days of the Department issuing the notice of the result of the review.".

5. In rule 22 (*Case stated for the Court of Appeal*) paragraph (1)—

(a) in both sub-paragraph (a) and sub-paragraph (b) omit "or"; and

(b) after sub-paragraph (c) insert—

"(d) regulation 9(2) of the 2010 (Energy Efficiency Homes Scheme) Regulations; or

(e) regulation 10(2) of the 2010 (Low-Carbon Homes Scheme) Regulations,".

6. In the Schedule after Form 5 insert the forms set out in the Schedule to these Rules.

Signed by the authority of the Lord Chancellor

Bridget Prentice
Parliamentary Under-Secretary of State
Ministry of Justice

Dated 10th March 2010

SCHEDULE

Rule 6

Rule 5(f)

"Form 6

RATES (NORTHERN IRELAND) ORDER 1977

Notice of appeal against the result of a review by the Department of a decision made by it on an application for a reduction in rates under the Rate Relief (Energy Efficiency Homes Scheme) Regulations (Northern Ireland) 2010

To: The Secretary
Northern Ireland Valuation Tribunal

Before completing please read the notes below

1. I/We…….of…….....
being dissatisfied with the result of the review by the Department of Finance and Personnel of a decision made by it on my/our application for a reduction in rates under the Rate Relief (Energy Efficiency Homes Scheme) Regulations (Northern Ireland) 2010 in respect of the hereditament situated at …….....…… give notice of appeal.

2. The grounds of appeal are:
……..……
……..……
……..……
……...……...
……...……...
……...

3. I am/We are content for the appeal to be disposed of by written representations/request a hearing.

4. All communications regarding this appeal should be addressed to me/us at 1 above.

Dated: ……... Signed: …… Appellant

Notes

AT 1 Insert your name and postal address in full and address of hereditament in respect of which the appeal is being made.

AT 2. Please state briefly why you are dissatisfied with the result of the review. If there is insufficient space on the form please use a separate sheet and attach securely to the form.

AT 3. Delete as appropriate. Please note that the written consent of all the other parties is required in order for the appeal to be disposed of by written representations.

General

1. This notice of appeal should be delivered to the Secretary of the Northern Ireland Valuation Tribunal within 28 days of the Department issuing the notice of the result of the review.

2. An application for the extension of the time limits imposed by the Valuation Tribunal Rules (Northern Ireland) 2007 for delivering a notice of appeal or taking any steps in connection with any proceedings may be made to the Secretary in accordance with rule 9(7) of those Rules.

Rule 5(g)

Form 7

RATES (NORTHERN IRELAND) ORDER 1977

Notice of appeal against the result of a review by the Department of a decision made by it under the Rate Relief (Low-Carbon Homes Scheme) Regulations (Northern Ireland) 2010

To: The Secretary
Northern Ireland Valuation Tribunal

Before completing please read the notes below

1. I/We…….of…….....
being dissatisfied with the result of the review by the Department of Finance and Personnel of a decision made by it under the Rate Relief (Low-Carbon Homes Scheme) Regulations (Northern Ireland) 2010 in respect of the hereditament situated at ……..…… give notice of appeal.

2. The grounds of appeal are:
……..……
……..……
……..……
……...……...
……...……...
……...

3. I am/We are content for the appeal to be disposed of by written representations/request a hearing.

4. All communications regarding this appeal should be addressed to me/us at 1 above.

Dated: ……... Signed: …… Appellant

Notes

AT 1. Insert your name and postal address in full and address of hereditament in respect of which the appeal is being made.

AT 2. Please state briefly why you are dissatisfied with the result of the review. If there is insufficient space on the form please use a separate sheet and attach securely to the form.

AT 3. Delete as appropriate. Please note that the written consent of all the other parties is required in order for the appeal to be disposed of by written representations.

General

1. This notice of appeal should be delivered to the Secretary of the Northern Ireland Valuation Tribunal within 28 days of the Department issuing the notice of the result of the review.

2. An application for the extension of the time limits imposed by the Valuation Tribunal Rules (Northern Ireland) 2007 for delivering a notice of appeal or taking any steps in connection with any proceedings may be made to the Secretary in accordance with rule 9(7) of those Rules."

EXPLANATORY NOTE

(This note is not part of the Rules)

The Valuation Tribunal Rules (Northern Ireland) 2007 [S.R. 2007 No. 182 as amended by S.R. 2008 No. 153] ("the principal Rules") regulate the exercise of rights of appeal to the Northern Ireland Valuation Tribunal ("the Tribunal") and prescribe the practice and procedure in relation to proceedings before the Tribunal.

These Rules amend the principal Rules in consequence of the introduction of a right of appeal to the Tribunal against the result of a review by the Department of Finance and Personnel of—

— a decision made by it in relation to an application for a rate reduction under the Rate Relief (Energy Efficiency Homes Scheme) Regulations (Northern Ireland) 2010 (S.R. 2010 No. 67); or

— a decision made by it in relation to an application for rate relief under the Rate Relief (Low-Carbon Homes Scheme) Regulations (Northern Ireland) 2010 (S.R. 2010 No. 66).

© Crown Copyright 2010

Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print the Acts of the Northern Ireland Assembly.

STATUTORY RULES OF NORTHERN IRELAND

2010 No. 104

RATES

The Valuation Tribunal (Amendment) Rules (Northern Ireland) 2010

£5.50

Dd. N4350. C2. 3/10. Gp. 130. 14567.