



Northern Ireland (Regional Rates and Energy) Act 2019

2019 CHAPTER 13

An Act to make provision about the regional rate in Northern Ireland for the year ending 31 March 2020; and amend the Renewable Heat Incentive Scheme Regulations (Northern Ireland) 2012. [26th March 2019]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Regional rates

1 Regional rates

- (1) This section applies in respect of the year ending 31 March 2020.
- (2) The regional rate to be levied on the rateable net annual values of hereditaments is to be 34.01 pence in the pound.
- (3) The regional rate to be levied on the rateable capital values of hereditaments is to be 0.4574 pence in the pound.
- (4) A rate specified in subsection (2) or (3) may be varied by an order made by the Department under Article 7(1) of the Rates Order.
- (5) An order made by virtue of subsection (4)—
 - (a) may be made only after the first occasion on which all the Ministerial offices are filled after the passing of this Act, but
 - (b) may set the rate in respect of the whole of the year for which it is made.
- (6) In this section—

“the Ministerial offices” means—

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Regional Rates and Energy) Act 2019. (See end of Document for details)

- (a) the offices of First Minister and deputy First Minister, and
- (b) the Ministerial offices to be held by Northern Ireland Ministers (within the meaning of the Northern Ireland Act 1998);

“the Rates Order” means the Rates (Northern Ireland) Order 1977 (S.I. 1977/2157 (N.I. 28));

and any expression used in this section and in the Rates Order has the meaning given by that Order.

Renewable heat incentive scheme

2 Introductory

- (1) The Renewable Heat Incentive Scheme Regulations (Northern Ireland) 2012 (S.R. (NI) 2012 No. 396) (“the 2012 Regulations”) are amended in accordance with sections 3 and 4.
- (2) Nothing in those sections affects the power to make regulations under section 113 of the Energy Act 2011 amending or revoking any provision amended or inserted by those sections.

3 Tariffs for periodic support payments

- (1) In regulation 36(3) for “(7B)” substitute “ (7C) ”.
- (2) In regulation 36(5)—
 - (a) for “(7B)” substitute “ (7C) ”;
 - (b) for “or 4” substitute “ , 4 or 5 ”.
- (3) In regulation 36(6) for “(7B)” substitute “ (7C) ”.
- (4) In regulation 36(7) after “(7B)” insert “ or (7C) ”.
- (5) In regulation 36(7A) after “accredited on or after 18th November 2015” insert “ , other than installations to which paragraph (7C) applies ”.
- (6) In regulation 36 after paragraph (7B) insert—

“(7C) The tariffs for installations (whether accredited before or after the coming into operation of section 3 of the Northern Ireland (Regional Rates and Energy) Act 2019) falling within the small or medium biomass tariffs set out in Schedule 5—

- (a) for the period beginning with 1st April 2019 and ending with 31st March 2020, are the tariffs set out in Schedule 5;
- (b) for each subsequent year commencing with 1st April and ending with the next 31st March, are the tariffs applicable on the immediately preceding 31st March adjusted by the percentage increase or decrease in the consumer prices index for the previous calendar year (the resulting figure being rounded to the tenth of a penny, with any twentieth of a penny being rounded upwards).

(7D) For the purposes of paragraph (7C) “the consumer prices index” means—

- (a) the consumer prices index calculated and published by the Office for National Statistics; or

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- (b) where the index is not published for a year, any substituted index or figures published by that Office.”
- (7) In regulation 36(8) for “(7B)” substitute “ (7C) ”.
- (8) In regulation 36(9A) after “set out in Schedule 3A” insert “ and the tariff for the installation falls to be determined for the period mentioned in paragraph (7B) ”.
- (9) In regulation 36 after paragraph (9A) insert—
 - “(9B) Where an accredited RHI installation falls within the small biomass tariff set out in Schedule 5—
 - (a) the tariff for the initial heat generated by the installation in any 12 month period commencing with, or with the anniversary of, the date of accreditation (regardless of whether that date falls before or after the coming into operation of section 3 of the Northern Ireland (Regional Rates and Energy) Act 2019) is the Tier 1 tariff specified in Schedule 5;
 - (b) the tariff for further heat generated in that same 12 month period is the relevant Tier 2 tariff specified in Schedule 5.
 - (9C) Where an accredited RHI installation falls within either of the medium biomass tariffs set out in Schedule 5—
 - (a) the tariff for the initial heat generated by the installation in any 12 month period commencing with, or with the anniversary of, the date of accreditation (regardless of whether that date falls before or after the coming into operation of section 3 of the Northern Ireland (Regional Rates and Energy) Act 2019) is the relevant tariff specified in Schedule 5; and
 - (b) any further heat generated in that same 12 month period shall not be eligible for periodic payments.”
- (10) In regulation 36(10) for “and (9A)” substitute “ to (9C) ”.
- (11) In Schedules 3 and 4 omit the entries relating to small and medium biomass installations.
- (12) After Schedule 4 insert the Schedule set out in the Schedule to this Act.
- (13) Nothing in this section has effect in relation to periodic support payments (within the meaning of the 2012 Regulations) for heat generated before this section comes into force.

4 Voluntary buy-out arrangements

After regulation 23A insert—

“23B Voluntary buy-out arrangements

- (1) The powers conferred by paragraph (2) may only be exercised in the period while there is no Executive.
- (2) The Department may, in respect of the financial year beginning with 1st April 2019 and each of the two financial years immediately following, prepare