STATUTORY RULES OF NORTHERN IRELAND

2018 No. 44

RATES

The Valuation Tribunal (Amendment) Rules (Northern Ireland) 2018

Made - - - -	*8th March 2018*
Coming into operation	*1st April 2018*

The Department of Justice 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(**1**).

Citation and commencement

1. These Rules may be cited as the Valuation Tribunal (Amendment) Rules (Northern Ireland) 2018 and shall come into operation on 1st April 2018.

Amendment to the Valuation Tribunal Rules (Northern Ireland) 2007

2. The Valuation Tribunal Rules (Northern Ireland) 2007(**2**) shall be amended in accordance with rules 3 to 8.

3. In rule 2(1) (*Interpretation*)—

(a) omit the definitions of "the 2007 Regulations", "the 2010 (Energy Efficiency Homes Scheme) Regulations" and "the 2010 (Low-Carbon Homes Scheme) Regulations";

(b) after the definition of "the 2011 Act" insert—

> ""the 2017 Regulations" means the Rate Relief Regulations (Northern Ireland) 2017(**3**);";

(c) in the definition of "appeal"—

(i) omit paragraphs (b), (d) and (e); and

(ii) after paragraph (f) insert—

"or

(**1**) 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. These powers were transferred from the Lord Chancellor to the Department of Justice by Article 15(1) of, and paragraph 30 of Schedule 17 to, the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010 No. 976).

(**2**) S.R. 2007 No. 182 as amended by S.R. 2008 No. 153, S.R. 2010 No. 104, S.R. 2012 No. 122 and S.R. 2012 No. 217.

(**3**) S.R. 2017 No. 184.

(g) regulation 18(1) of the 2017 Regulations;"; and

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

"(a) in relation to an appeal under Article 13(3) or 31A(12B) of, or paragraph 9 of Schedule 8B to, the 1977 Order or regulation 18(1) of the 2017 Regulations, means the Department;".

4. In rule 4 (*Composition of tribunals*)—

(a) in paragraph (1) for "and (4)" substitute ", (4) and (5)";

(b) for paragraph (3) substitute—

4.—"(3) Any proceedings may, with the consent of the parties, be considered and determined—

(a) in the absence of any one member other than the chairman; or

(b) by the chairman alone,

whether or not the parties have subsequently withdrawn their consent."; and

(c) after paragraph (4) insert—

"(5) In relation to an appeal under regulation 18(1) of the 2017 Regulations, rule 4(1)(b) does not apply.".

5. In rule 5 (*Notice of appeal*)—

(a) omit paragraphs (d), (f) and (g); and

(b) after paragraph (i)—

(i) for "." substitute ";"; and

(ii) insert—

"(j) an appeal under regulation 18(1) of the 2017 Regulations shall be instituted by delivering to the Secretary a notice of appeal in accordance with Form 10 within three months of the Department issuing the notice under regulation 17(3).".

6. In rule 9 (*General power to manage proceedings*)—

(a) at the beginning of paragraph (1) omit "The" and insert "Subject to paragraph (2A), the";

(b) after paragraph (2) insert—

"(2A) The time limit for instituting an appeal in accordance with regulation 18(1) of the 2017 Regulations shall not be extended,"; and

(c) in paragraph (6) for "paragraph (1)(c)" substitute "paragraph (2)(c)".

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

(a) after paragraph (a) insert "or"; and

(b) omit paragraphs (b), (d) and (e).

8. In the Schedule—

(a) omit forms 4, 6 and 7; and

(b) after Form 9, insert the form set out in the Schedule to these Rules.