STATUTORY RULES OF NORTHERN IRELAND

2014 No. 197

BUSINESS IMPROVEMENT DISTRICTS

The Business Improvement Districts (Miscellaneous) Regulations (Northern Ireland) 2014

Laid before the Assembly in draft

Made - - - -	*1st July 2014*
Coming into operation	*2nd July 2014*

The Department for Social Development, in exercise of the powers conferred by sections 5(2)(f), 6(3), 9(3) and 17(2)(b) of the Business Improvement Districts Act (Northern Ireland) 2013(**1**), makes the following Regulation:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Business Improvement Districts (Miscellaneous) Regulations (Northern Ireland) 2014 and shall come into operation on the day after the day on which they are made.

(2) In these Regulations—

"the 2013 Act" means the Business Improvement Districts Act (Northern Ireland) 2013;

"the 2014 (General) Regulations" means the Business Improvement Districts (General) Regulations (Northern Ireland) 2014;

"alteration ballot" has the meaning given in regulation 16 of the 2014 (General) Regulations;

"ballot holder" has the meaning given in regulation 6 of the 2014 (General) Regulations;

"BID" means business improvement district under section 1 of the 2013 Act;

"BID ballot" means a ballot under section 5(1) of the 2013 Act;

"BID body" means the body (whether corporate or not corporate) responsible for the implementation of the works or services to be provided within the BID arrangements, where a BID body is included in the BID proposals in terms of paragraph (1)(a) of Schedule 1 of the 2014 (General) Regulations;

"BID proposer" means a person who draws up BID proposals;

"DFP" means the Department of Finance and Personnel;

(**1**) 2013, c.5 (NI).

"re-ballot" means a BID ballot, renewal ballot, or alteration ballot, as the case may be, which is required to be arranged pursuant to regulation 9(10) of the 2014 (General) Regulations;

"relevant property" has the same meaning as provided for in section 6(4) of the 2013 Act for the purposes of that section;

"renewal ballot" means a ballot under section 16(2) of the 2013 Act;

"veto" means a veto by the district council pursuant to section 9 of the 2013 Act;

Obtaining information from DFP for the purpose of developing BID proposals

2.—(1) On receiving a request (made in accordance with paragraph (2)) from any person who is developing BID proposals, DFP shall–

(a) prepare a document showing (as far as DFP is able to ascertain from its non-domestic rates records at that time) the name of each non-domestic ratepayer and the address, property type and rateable value of each relevant property which is occupied, or (if unoccupied) owned, by that person in the business improvement district; and

(b) supply in data form a copy of the information in the document to the person developing the BID proposals.

(2) A request for information under paragraph (1) shall–

(a) be made in writing to DFP;

(b) confirm that the person making the request intends to make use of the information requested only for the purpose of developing the BID proposal described in the request;

(c) provide a summary of the nature of the BID proposals to be developed;

(d) describe the geographical extent of the business improvement district.

(3) A person to whom this section applies shall be guilty of an offence it they–

(a) disclose any information supplied to that person under paragraph (1); or

(b) make use of any such information,

otherwise than for the purpose of developing the BID proposal described in the request.

(4) A person guilty of an offence as mentioned in paragraph (3) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.(**2**)

(5) In this regulation "data form" means information which is in a form which is capable of being processed by means of equipment operating automatically in response to instructions given for that purpose.

Obtaining information for the purposes of canvassing

3.—(1) As soon as practicable after the district council instructs the ballot holder to hold a ballot (under regulation 5(1) of the 2013 (General) Regulations), DFP shall–

(a) prepare a document showing (as far as DFP is able to ascertain from its non-domestic rates billing records at that time) the name of each non-domestic ratepayer and the address, property type and rateable value of each relevant property which is occupied, or (if unoccupied) owned, by them in the geographical area to which any BID proposals, alteration proposals or renewal proposals, as the case may be, relate; and

(b) provide a copy of the document referred to in paragraph (1)(a) to the district council and the ballot holder as soon as practicable.

(**2**) 1984 No. 703 (N.I. 3)