STATUTORY INSTRUMENTS

1982 No. 156 (N.I. 2)

The Rates Amendment (Northern Ireland) Order 1982

- - - - - - *10th February 1982*

Title and commencement

1.—(1) This Order may be cited as the Rates Amendment (Northern Ireland) Order 1982.

(2) Subject to paragraph (3), this Order shall come into operation on 1st April 1982.

(3) Article 4 shall come into operation on such day as the Head of the Department of the Environment may by order appoint[F1].

Annotations:

F1 Power of appointment fully exercised by SR 1982/227

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954[F2] shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order, "the principal Order" means the Rates (Northern Ireland) Order 1977[F3].

Annotations:

F2 1954 c. 33 (N.I.)

F3 1977 NI 28

Valuation of caravan sites

3. At the end of Schedule 12 to the principal Order (basis of valuation) there shall be added the following Part—

"PART XIII

CARAVAN SITES

1.—(1) This Part applies to caravan sites having an area of not less than 335 square metres.

(2) In this Order—

(a) "caravan" has the meaning assigned to it by section 25(1) of the Caravans Act (Northern Ireland) 1963[F4];

(b) "caravan site" means any land in respect of which a site licence is required under that Act, or would be so required if paragraphs 4 and 11 of the Schedule to that Act (exemption of certain land occupied and supervised by organisations concerned with recreational activities and of land occupied by district councils) were omitted;

(c) a caravan pitch is a "pitch for a leisure caravan" if in accordance with any licence or planning permission regulating the use of the caravan site a caravan stationed on the pitch is not allowed to be used for human habitation throughout the year;

(d) "site operator" means the person who is for the purposes of that Act the occupier of the caravan site.

2.—(1) Where in a caravan site pitches for leisure caravans are separately occupied by persons other than the site operator so that a pitch so occupied is a separate hereditament, the district valuer may, notwithstanding anything contained in Article 38(2), if he thinks it proper to do so having regard to the circumstances of the case, value all or any of those pitches as a single hereditament together with so much, if any, of the site as is in the occupation of the site operator.

(2) Where any area of a caravan site is valued as a single hereditament under sub-paragraph (1), an application for there to be omitted from the hereditament and entered separately in the valuation list a caravan pitch occupied by a person other than the site operator may be made by that person if the pitch would fall to be separately entered in the list but for that sub-paragraph; and Article 49 shall apply to such an application.

(3) Any caravan pitch which is separately occupied by a person other than the site operator but is included in the hereditament by virtue of sub-paragraph (1) shall be treated as used for the purposes of a private dwelling throughout the year, notwithstanding that it is so used during part only of the year.

(4) For the purposes of this Part a caravan pitch (and any area comprising it) shall be taken as including the caravan for the time being on the pitch if, but only if, apart from this paragraph, the caravan would be included as part of a hereditament.

(5) Where any area of a caravan site is valued as a single hereditament under sub-paragraph (1), that area shall, for the purposes of this Order, be deemed to be a single hereditament in the occupation of the site operator and shall be so treated.

3.—(1) Where an alteration is made in the valuation list in consequence of this Part, the district valuer shall serve certificates of the alteration on the person mentioned in Article 56(8) stating—

(a) how many caravans occupied by persons other than the site operator are included in the hereditament under this Part, and

(b) how much of the net annual value is attributed to those caravans, together with their pitches.

(2) After receiving a certificate of the alteration under sub-paragraph (1) the site operator shall display a notice on the site from the beginning of April to the end of October in every year so long as the site or part of it is treated as a single hereditament under this Part (but starting with the April following the receipt of the certificate if it is received in October) and shall state in the notice so displayed—