



# Financial Provisions Act (Northern Ireland) 2014

CHAPTER 6

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## CHAPTER 6

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# Financial Provisions Act (Northern Ireland) 2014

## 2014 CHAPTER 6

An Act to repeal the Development Loans (Agriculture and Fisheries) Act (Northern Ireland) 1968; to enable the Department of Agriculture and Rural Development to pay grants to certain harbour authorities; to amend the Rates (Northern Ireland) Order 1977; to make provision in relation to the payment of interest on funds in court; to make provision enabling the Northern Ireland Housing Executive to recover certain costs; to make provision for the disclosure of data obtained by the Comptroller and Auditor General for data matching purposes; to enable the Department of Justice to make payments to certain bodies providing services for the police, etc.; and for purposes connected with those matters. [28th April 2014]

**B**E IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

### **Repeal of the Development Loans (Agriculture and Fisheries) Act (Northern Ireland) 1968**

1. The Development Loans (Agriculture and Fisheries) Act (Northern Ireland) 1968 is repealed.

### **Grants payable to certain harbour authorities in relation to expenses**

2. In the Harbours Act (Northern Ireland) 1970—

(a) after section 4 insert—

#### **“Grants payable to certain harbour authorities in relation to expenses**

4A.—(1) Subject to subsection (2), the Department of Agriculture and Rural Development, with the approval of the Department of Finance and Personnel, may give to a harbour authority in relation to which the Department of Agriculture and Rural Development exercises functions for the purposes of this Act financial assistance by way of grant in respect of any expenses chargeable against income, being expenses which are incurred by the authority during a period in respect of which, in the

opinion of the Department of Agriculture and Rural Development, the authority was not in receipt of sufficient revenue to meet its expenses.

(2) A grant under this section may be made on such terms and conditions (including conditions for repayment in specified circumstances and conditions by virtue of which the Department of Agriculture and Rural Development may participate in the profits or income of the authority) as the Department of Agriculture and Rural Development may think fit to impose.”;

- (b) in section 33 (miscellaneous financial provisions) after “section 3” insert “and the Department of Agriculture and Rural Development to make grants under section 4A”.

### **Rating of owners instead of occupiers in certain cases**

**3.** In Article 20 of the Rates (Northern Ireland) Order 1977 (rating of owners instead of occupiers in certain cases)—

(a) in paragraph (1)—

(i) in sub-paragraph (a), after “hereditament” insert “(where the hereditament does not have a net annual value and a capital value)”;

(ii) in sub-paragraph (b), for “£55,000” substitute “£150,000”;

(iii) in sub-paragraph (c), for head (ii) substitute—

“(ii) its net annual value does not exceed £1,590;”;

- (b) in paragraph (1A), for the words from “both conditions” to the end of that paragraph substitute “the conditions in sub-paragraphs (b) and (c)(ii) of paragraph (1) must be satisfied, but the condition set out in sub-paragraph (c)(i) of that paragraph does not apply in relation to such a hereditament.”.

### **Repeal of Articles 23 and 24 of the Rates (Northern Ireland) Order 1977**

**4.** Articles 23 (liability of occupier for rates unpaid by owner) and 24 (recovery of rates from tenants and lodgers) of the Rates (Northern Ireland) Order 1977 are repealed.

### **Power of Department of Finance and Personnel to require information**

**5.—(1)** Article 26 of the Rates (Northern Ireland) Order 1977 (power of Department to require information as to ownership, etc.) is amended as follows.

(2) In paragraph (1)—

(a) at the end of sub-paragraph (a) insert “and the date on which he acquired that interest”;

(b) after sub-paragraph (c) insert—

“(cc) the date on which he began to occupy the hereditament;”.

(3) After paragraph (1) insert—

“(1A) The Department may, for the purposes of this Order, serve a notice on the owner of any hereditament requiring him to state to the Department in writing, within a period and in the manner specified in the notice—

(a) the date on which he acquired ownership of the hereditament; and

(b) the date, if any, on which he began to occupy the hereditament.”.

(4) In paragraph (2B)(a) after “(1)” insert “, (1A)”.

#### **Discount on rates on dwellings**

6.—(1) Article 30 of the Rates (Northern Ireland) Order 1977 (discount on rates on dwellings) is amended as follows.

(2) After paragraph (2) insert—

“(2ZA) An allowance shall be granted in accordance with paragraph (2ZC) to any person entitled to possession of a hereditament to which paragraph (2ZB) applies who pays the net amount due on account of a rate in respect of that hereditament in a single sum before such date as the Department may notify to him.

(2ZB) This paragraph applies to a hereditament in the capital value list in respect of which rates are chargeable under Article 25A where the hereditament is a hereditament which—

- (a) is not in use; and
- (b) is a hereditament which the Department considers will, when next in use, be a dwelling-house or, though not a dwelling-house, will be used partly for the purposes of a private dwelling; and
- (c) is not the subject of an agreement under Article 21.

(2ZC) The allowance shall be by way of a discount of 4% on the amount payable on account of the rate as is computed by reference to the rateable capital value of the hereditament.”.

(3) In paragraph (2A) after “(2)” insert “or (2ZC)”.

#### **Temporary reduction of rates for specified hereditaments**

7. In Article 31C of the Rates (Northern Ireland) Order 1977 (temporary reduction of rates for specified hereditaments)—

- (a) in paragraph (1) after “percentage” insert “or a specified amount”;
- (b) in sub-paragraph (a) of that paragraph for “exceed a” substitute “exceed such other”.

#### **Provision as to payment of interest on funds in court**

8. In section 82 of the Judicature (Northern Ireland) Act 1978 (rules as to funds in court) in subsection (1)—

- (a) for “may make rules” substitute “may give directions in relation to the payment of interest on funds in court and may make rules”;
- (b) in paragraph (a) omit the words from “and prescribing” to the end of that paragraph.

#### **Power of Northern Ireland Housing Executive to recover certain costs**

9. In Article 88 of the Housing (Northern Ireland) Order 1981 (disposal of land by the Executive) after paragraph (2) insert—

“(2A) The Executive may recover from any person the administrative expenses (including legal and other professional expenses) incurred by it in connection with the disposal of land.

(2B) The power under paragraph (2A) is subject to a duty to secure that, taking one financial year with another, the income from charges under that paragraph does not exceed the costs of provision.”.

#### **Accounts and audit: health and social care bodies**

**10.** In Article 4D of the Audit and Accountability (Northern Ireland) Order 2003 (disclosure of results of data matching, etc.), in paragraph (6)(b) for head (i) substitute—

“(i) a health and social care body mentioned in paragraphs (a) to (e) of section 1(5) of the Health and Social Care (Reform) Act (Northern Ireland) 2009;”.

#### **Expenditure on bodies providing services for the police, etc.**

**11.—(1)** The Department of Justice may provide financial assistance for bodies which have as their objectives—

- (a) the benefit of members and former members of the Royal Ulster Constabulary, the Royal Ulster Constabulary Reserve, the Police Service of Northern Ireland and the Police Service of Northern Ireland Reserve who have been killed or injured by terrorism (as defined in section 1 of the Terrorism Act 2000), and their families and dependants, by the provision of financial assistance, advice, support and care to such persons; or
- (b) the provision of assistance to members of the Royal Ulster Constabulary, the Royal Ulster Constabulary Reserve and the Police Service of Northern Ireland and their families with counselling and training prior to and after cessation of their service.

(2) Without prejudice to any other statutory provision enabling it in that behalf, the Department of Justice may make regulations subject to negative resolution providing for the constitution, functions, procedures and financing of the bodies referred to in subsection (1).

(3) In subsection (1) “financial assistance” means assistance by way of grants or loans on such conditions (including conditions as to repayment) as the Department of Justice may determine.

#### **Repeals**

**12.** The statutory provisions set out in the Schedule are repealed to the extent specified in the second column of that Schedule.

#### **Commencement**

**13.—(1)** Except as provided by subsections (2) to (5), this Act comes into operation on the day after Royal Assent.

(2) Section 8 comes into operation on such day or days as the Department of Justice may by order appoint.

(3) An order under subsection (2) may contain such transitional or saving provisions as the Department of Justice thinks appropriate.

(4) Sections 3, 4, 5, 6 and 10 come into operation on such day or days as the Department of Finance and Personnel may by order appoint.

(5) An order under subsection (4) may contain such transitional or saving provisions as the Department of Finance and Personnel thinks appropriate.

**Short title**

**14.** This Act may be cited as the Financial Provisions Act (Northern Ireland) 2014.

Section 12.

## SCHEDULE

## REPEALS

Short Title	Extent of repeal
The Development Loans (Agriculture and Fisheries) Act (Northern Ireland) 1968 (c. 21)	The whole Act.
The Agriculture (Miscellaneous Provisions) Act (Northern Ireland) 1970 (c. 20)	Section 11.
The Agriculture (Miscellaneous Provisions) (Northern Ireland) Order 1975 (NI 8)	Article 12.
The Rates (Northern Ireland) Order 1977	Articles 23 and 24.
The Judicature (Northern Ireland) Act 1978 (c. 23)	In section 82(1), in paragraph (a) the words from “and prescribing” to the end of that paragraph.
The Statutory Rules (Northern Ireland) Order 1979 (NI 12)	In Schedule 2, the entry relating to sections 1(2) and 5(1) of the Development Loans (Agriculture and Fisheries) Act (Northern Ireland) 1968.
The Financial Provisions (Northern Ireland) Order 1983 (NI 1)	Article 3(1).  In Schedule 3, the entry relating to the Development Loans (Agriculture and Fisheries) Act (Northern Ireland) 1968.

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