

**2007 No. 148
RATES**

**The Rate Relief (Education, Training and Leaving Care)
Regulations (Northern Ireland) 2007**

Made - - - 9th March 2007

Coming into operation - 1st April 2007

The Department of Finance and Personnel, in exercise of the powers conferred by Articles 30B (1), (3), (4), and (5) and 42(2A) and (2B) of the Rates (Northern Ireland) Order 1977, makes the following Regulations:

PART 4

Halls of Residence

13. Subject to the condition in Article 42(2B) of the 1977 Order, there shall be distinguished in the NAV list as wholly exempt from rates any hereditament which—

(a) comprises a hall of residence provided predominantly for the accommodation of persons who satisfy the conditions set out in regulation 7 or 8 as the case may be; and

(b) is owned or managed by a body listed in Schedule 3 or is the subject of an agreement allowing such a body to nominate the majority of persons who are to occupy all the accommodation so provided.

Conditions relating to education [Regulation 7]

7.—(1) The conditions referred to in regulation 6(3)(a) are that—

(a) the person concerned is an eligible student, that is to say he is undertaking a designated course; and

(b) his status as an eligible student has not terminated.

(2) For the purposes of paragraph (1) and subject to paragraph (3), a course is a designated course if it is—

(a) mentioned in Schedule 1;

(b) one of the following—

- (i) a full-time course; or
- (ii) a sandwich course;

(c) of at least one academic year's duration;

(d) except in the case of a sandwich course, a course where persons undertaking it are normally required by the institution providing it to attend (whether at premises of the institution or elsewhere) for a period of at least 24 weeks in each year thereof and in each week that person is required to attend he is expected to undertake periods of study or tuition amounting to at least 21 hours on average; and

(e) wholly provided by a publicly-funded educational institution in the United Kingdom or by a relevant institution of higher education in the Republic of Ireland which (in either case) is maintained or assisted by recurrent grants out of public funds or provided by such an institution in conjunction with an institution outside the United Kingdom.

(3) For the purposes of this regulation a university and any constituent college or institution in the nature of a college of a university is to be regarded as publicly funded if either the university or the constituent college or institution is publicly funded.

(4) A course to which this paragraph applies is considered to be a single course for a first degree or for an equivalent qualification even though—

(a) the course may lead to another degree or qualification being conferred before the degree or equivalent qualification; and

(b) part of the course may be optional.

(5) Paragraph (4) applies to a course the standard of which is not higher than a first degree which leads to a qualification as a medical doctor, dentist, veterinary doctor, architect, landscape architect, landscape designer, landscape manager, town planner or town and country planner.

(6) A person shall be regarded for the purposes of paragraph (1) as undertaking a designated course during the period in which he is a gap year student.

(7) A person's status as an eligible student terminates—

(a) at the end of the academic year in which the student completes the designated course;

(b) when the student withdraws from his designated course and he is not a transfer student; or

(c) when the student abandons or is expelled from his designated course.

Conditions relating to training [Regulation 8]

8.—(1) The conditions referred to in regulation 6(3)(b) are that—

(a) the person concerned is an eligible trainee, that is to say he is undertaking an approved course of training;

(b) his status as an eligible trainee has not terminated; and

(c) he is not a gap year student or undertaking a sandwich course.

(2) For the purposes of paragraph (1) and subject to paragraph (3), a course is an approved course of training if it is—

(a) provided by an institution pursuant to arrangements made by the Department for Employment and Learning under and for the purposes of section 1 of the Employment and Training (Northern Ireland) Act 1950

(b) one which leads to a recognised qualification for employment or employment of a particular type;

(c) of at least one academic year's duration; and

(d) a course where persons undertaking it are normally required by the institution providing it to attend (whether at premises of the institution or elsewhere) for a period of at least 24 weeks in each year thereof and in each week that person is required to attend he is expected to undertake periods of study, tuition or work amounting to at least 21 hours on average.

(3) A person's status as an eligible trainee terminates—

(a) at the end of the academic year in which the trainee completes the approved course of training;

(b) when the trainee withdraws from his course; or

(c) when the trainee abandons or is expelled from his course.

SCHEDULE 3

The Queen's University of Belfast
University of Ulster
St Mary's University College, Belfast
Stranmillis University College, Belfast
The Department of Agriculture and Rural Development

Article 42 (2B)

"The condition referred to in paragraph (2A) is that it appears to the Commissioner of the district valuer that the amount of rates which would but for the regulations be chargeable in respect of the hereditament less reasonable administrative costs, will be applied for the benefit of persons accommodated there who satisfy prescribed conditions as to education or training".

Alan Hanna
March 2008