



STATUTORY INSTRUMENTS.

S.I. No. 603 of 2017



VALUATION ACT 2001(OCCUPIER ASSISTED VALUATION)
(GENERAL APPLICATION) REGULATIONS 2017

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I, CHARLES FLANAGAN, Minister for Justice and Equality, in exercise of the powers conferred on me by section 26B (inserted by section 12 of the Valuation (Amendment) Act 2015 (No.10 of 2015)) of the Valuation Act 2001 (No. 13 of 2001) and the Valuation Office (Transfer of Departmental Administration and Ministerial Functions) Order 2015 (S.I. No. 638 of 2015), hereby make the following regulations:

1. (1) These Regulations may be cited as the Valuation Act 2001 (Occupier Assisted Valuation) (General Application) Regulations 2017.

(2) These Regulations come into operation on 28 December 2017.

2. In these Regulations—

“Act” means the Valuation Act 2001 (No. 13 of 2001);

“category A occupier ” means an occupier of a category of relevant property, other than a category of relevant property specified in the Schedule, situated in a rating authority area, or a portion of a rating authority area, which stands specified in a valuation order in accordance with section 19(1A);

“category B occupier” means an occupier of a category of relevant property, specified in the Schedule situated in a rating authority area, or a portion of a rating authority area, which stands specified in a valuation order in accordance with section 19(1A);

“guidelines” means the guidelines issued under Regulation 3;

“notice” means the notice issued under Regulation 4;

“valuation submission form” means a form made available by the Commissioner to an occupier for the acceptance of the valuation of an officer of the Commissioner or submission by the occupier of his or her initial valuation.

3. The Commissioner shall issue guidelines to assist occupiers regarding the submission by them of an accurate initial valuation in respect of their relevant properties and other matters under Part 5A of the Act and a copy of those guidelines shall be attached to a valuation submission form.

4. Where the Commissioner makes a valuation order and in that order specifies a rating authority area or a portion of a rating authority area in accordance with section 19(1A) of the Act, an officer of the Commissioner shall issue a

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 2nd January, 2018.*

notice to each category A and category B occupier in the area specified in the order and that notice shall—

- (a) set out what is required of that occupier in respect of the initial valuation to be submitted,
- (b) where the notice is being sent to a category A occupier, set out what is, in the opinion of that officer of the Commissioner, the valuation of the relevant property of that occupier, and
- (c) include a valuation submission form or identify where the occupier concerned can obtain that form.

5. (1) On receipt of a notice, a category A occupier shall submit the valuation submission form duly completed to the Commissioner within the time period specified in Regulation 7 and, having regard to the guidelines, in that form either—

- (a) accept the valuation of the officer of the Commissioner referred to in Regulation 4(b) as an accurate valuation of the relevant property concerned, or
- (b) where he or she believes that that valuation is not accurate, set out—
 - (i) what he or she considers to be the initial valuation of his or her relevant property, and
 - (ii) any matter, identified in the notice by the officer of the Commissioner which is relevant to his or her valuation, which the occupier concerned considers to be inaccurate.

(2) Where paragraph (1)(b) applies, the category A occupier concerned shall, at the same time as submitting the form—

- (a) provide supporting evidence for arriving at the initial valuation, and
- (b) set out any additional factors that he or she believes are relevant to and affect the value of the relevant property.

6. On receipt of a notice a category B occupier shall—

- (a) submit the valuation submission form duly completed to the Commissioner within the time period specified in Regulation 7 and, having regard to the guidelines, in that form set out—
 - (i) his or her initial valuation of the relevant property, and
 - (ii) any factors that he or she believes are relevant to and affect the value of the relevant property, and
- (b) at the same time as submitting the form under paragraph (a), provide supporting evidence for arriving at the initial valuation.

7. An occupier shall submit a valuation submission form—

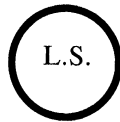
- (a) if submitted by electronic means, within 50 days from the date of the issue of the notice to him or her, or
- (b) if submitted otherwise than by electronic means, within 40 days of the date of the issue of the notice to him or her.

SCHEDULE

Category B Occupiers

AVIATION FUEL DEPOT
MOTORWAY SERVICE STATION
SERVICE STATION
HOSPITAL
APART / HOTEL
CONFERENCE CENTRE
GUESTHOUSE
HOLIDAY COMPLEX
HOSTEL
HOTEL
NIGHT CLUB / DISCOTHEQUE
PUB
APRON
BREWERY
DISTILLERY
DRY DOCK
FISH FARM
GENERATING STATION
OIL REFINERY
PHARMACEUTICAL
AQUARIUM
CASTLE
FISHERY
FISHERY (RIGHT OF)
MARINA
OUTDOOR ACTIVITY CENTRE
RACE TRACK (GREYHOUNDS)
RACE TRACK (HORSES)
RACE TRACK (MOTOR)
SHOWGROUND
SPORTS GROUNDS
STADIA
THEATRE
VISITOR CENTRE
ZOO / WILDLIFE PARK
LANDFILL SITE
MINE
QUARRY
PIT

ART GALLERY
BROADCASTING STATION
BANDSTAND
EASEMENTS AND OTHER RIGHTS OVER LAND
AIRPORT CONTROL TOWER
AERODROME
AIRPORT
BIKE STATIONS
CANAL
HELI PORT
NETWORK (CABLE)
NETWORK (LUAS)
NETWORK (STORM WATER)
NETWORK (TELECOMMUNICATIONS)
PIPELINE
PORT



GIVEN under my Official Seal,
20 December 2017.

CHARLES FLANAGAN,
Minister for Justice and Equality.

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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