

NORTHERN IRELAND VALUATION TRIBUNAL - ORDINARY MEMBER

The **Northern Ireland Valuation Tribunal (NIVT)** is an independent judicial body established under Schedule 1 of the Rates (Amendment) (NI) Order 2006.

NIVT hears and determines appeals in a number of statutory jurisdictions including against Capital Value rating assessments for domestic property in Northern Ireland.

In most hearings NIVT normally has one Chairman (legally qualified), one Valuation Member and one Ordinary Member. All are appointed by the Northern Ireland Judicial Appointments Commission (NIJAC), on a fee paid basis. In all hearings the Legal Member presides.

Prior to the hearing (which may be an oral hearing or determined on the basis of written representations only), panel members will receive papers relating to the case.

In Capital Value appeals, papers will include a report from Land and Property Services, submitted on behalf of the Commissioner of Valuation, and normally representations from the Appellant or their appointed representative / expert. Papers may contain sensitive personal or confidential information. It is the personal responsibility of the individual panel members to store and keep papers safely and securely and to maintain complete confidentiality relative to any information received by them in connection with any hearing.

Hearings take place both in the mornings and afternoons and are normally held in the Tribunal Hearing Centre, Royal Courts of Justice, Belfast. The panel generally meets before the hearing to discuss the case(s) and any issues that require further clarification. The Legal Member will outline legal or procedural matters and discuss management of the hearing.

Typically at any oral hearing the panel hears evidence from the representative appearing on behalf of the Commissioner of Valuation followed by the Appellant or their representative.

When all the evidence has been presented the panel shall collectively deliberate on the case. In a typical Capital Value case each member gives their opinion on whether the evidence presented justifies a change in the Capital Value of the property. The determination of the panel is made either by unanimous or by majority decision.

Hearings are arranged by the Tribunal Secretariat. Panel members are asked on a regular basis, and a reasonable time in advance of hearings, if they are available to sit on particular dates.

They will be told of the venue and time for each hearing and whether it is an oral hearing with the parties present or a hearing based on written representations only. On occasions hearings will be adjourned or cancelled. Unfortunately this can happen very close to the scheduled date of the hearing.

The Ordinary Member is actively involved in each stage of the hearing from the initial reading of reports to become familiar with the case prior to the hearing, to, in an oral Capital Value appeal hearing, seeking further information or clarification from the representative appearing on behalf of the Commissioner of Valuation. The Ordinary Member actively participates throughout the decision-making process, including contributing to the written decision which is drafted by the Legal Member.

Reviewed 31 January 2024 (JVL)