
STATUTORY INSTRUMENTS

1992 No. 1725 (N.I. 15)

NORTHERN IRELAND

The Housing (Northern Ireland) Order 1992

Made - - - - 15th July 1992
Coming into operation in accordance with Article
1(2) and (3)

THE HOUSING (NORTHERN IRELAND) ORDER 1992

PART I

INTRODUCTORY

1. Title and commencement
2. General interpretation

PART II

HOUSING ASSOCIATIONS

3. Part II: Interpretation

CHAPTER I

FUNCTIONS OF HOUSING ASSOCIATIONS

4. Functions of the Department
5. Power of housing trusts to hold land
6. Borrowing by housing associations
7. Recovery of possession of premises let by a housing association
8. Rents
9. Tenancy agreements, etc.
10. Persons eligible for housing accommodation
11. Guidance as to management of accommodation by registered housing associations
12. Acquisition of land
13. Disposal of land, etc.

Status: This is the original version (as it was originally made).

CHAPTER II

REGISTRATION OF HOUSING ASSOCIATIONS

14. The register of housing associations
15. Eligibility for registration
16. Registration
17. Removal of societies from the register
18. Notifications to and by the registrar
19. Accounts and audit
20. Enforcement of Article 19
21. Power of Department to monitor housing associations
22. Tax relief grants
23. Inquiries into affairs of registered housing associations
24. Extraordinary audit for purposes of inquiry
25. Department's power to act for protection of registered housing associations
26. Transfer of land of registered housing associations
27. Winding up of registered housing associations
28. Transfer of net assets on dissolution of registered housing associations
29. Restrictions on exercise of certain powers of registered housing associations
30. Payments by registered housing associations to members, etc.
31. Payments and grant of benefits by registered housing associations
32. Great Britain societies

CHAPTER III

FINANCIAL ASSISTANCE FOR HOUSING ASSOCIATIONS

33. Housing association grants
34. Revenue deficit grants
35. Recovery, etc. of grants
36. Determinations under this Part
37. Surplus rental income

PART III

GRANTS

CHAPTER I

GRANTS TOWARDS COST OF IMPROVEMENTS AND REPAIRS, ETC.

Introductory

38. Interpretation of this Chapter
39. Grants for improvements and repairs
40. Applications for grants

Preliminary conditions

41. The age of the property
42. The interest of the applicant in the property
43. Common parts grants: preliminary conditions
44. Certificate as to future occupation, etc.

Restrictions on grant aid

45. Certain dwellings and works excluded from grant aid
46. Restriction on grants for works already begun
47. Owner-occupiers and tenants
48. Landlords
49. Tenants' common parts applications

Approvals, notification and payment

50. Duty to approve applications to render certain dwellings fit for human habitation
51. Duty to approve applications arising out of certain statutory notices
52. Approval of applications to provide certain facilities for the disabled
53. Discretionary approval of certain applications
54. Approval and refusal of applications
55. Payment of grants

Conditions of grants and repayments

56. Conditions as to completion of works
57. Condition as to availability for letting
58. Condition requiring repayment of grant in case of certain disposals where certificate of intended letting given
59. Condition requiring repayment of a grant in case of certain disposals where owner-occupation certificate given
60. Conditions relating to HMO grant
61. Condition requiring repayment of grant on certain disposals in case of landlord's common parts application
62. Meaning of relevant disposal and exempt disposal for the purposes of Articles 58 to 61
63. Repayment of grant
64. Renovation grants relating to 2 or more dwellings

Group repair schemes

65. Group repair schemes and persons eligible to participate
66. Qualifying buildings and external works, etc.
67. Contributions by participants and limitations on works
68. Payment of balance of costs in case of certain disposals

Minor works

69. Assistance for provision of minor works to dwellings

Supplementary provisions

70. Persons entitled to grants
71. Cases in which grants may be re-calculated, withheld or repaid
72. Power of Executive to carry out works which would attract grant

CHAPTER II

OTHER GRANTS TOWARDS THE REPLACEMENT AND REPAIR OF DWELLINGS

73. Replacement grants

Status: This is the original version (as it was originally made).

74. Repairs grants towards costs of meeting certain statutory repairing obligations in respect of dwelling-houses

PART IV

HOUSES IN MULTIPLE OCCUPATION

75. Meaning of “multiple occupation”
76. Overcrowding in houses in multiple occupation
77. Date of operation of notices
78. Regulations prescribing management code
79. Power to require work to make good neglect of proper standards of management
80. Power to require execution of works to render premises fit for number of occupants
81. Further provisions relating to overcrowded houses
82. Means of escape from fire
83. Right of appeal against notice requiring execution of works
84. Carrying out of works by the Executive
85. Directions to prevent or reduce overcrowding in houses in multiple occupation
86. Supplemental provisions
87. Penalty for failure to execute works

PART V

AMENDMENTS OF THE ORDERS OF 1981, 1983 AND 1986

CHAPTER I

AMENDMENTS OF THE ORDER OF 1981

88. Power of Executive to make housing management scheme
89. Resettlement of undertakings
90. Clearance areas, etc.
91. Continuance of certain powers to deal with unoccupied premises
92. Further powers of the Executive in connection with acquisition and disposal of land
93. Compensation in respect of vesting orders, clearance orders, demolition orders and closing orders
94. Winding up of home purchase assistance scheme
95. Miscellaneous amendments of the Order of 1981

CHAPTER II

AMENDMENTS OF THE ORDER OF 1983

96. House sales scheme

CHAPTER III

AMENDMENTS OF THE ORDER OF 1986

97. Amendments relating to defective housing

PART VI
PRIVATE SECTOR TENANTS

98. Regulated tenancy standards
99. Department's power to remove tenancies from register of rents
100. Reduction of rent on failure to comply with certificate of disrepair
101. Service of documents under Rent (Northern Ireland) Order 1978
102. Other amendments of Rent (Northern Ireland) Order 1978

PART VII
MISCELLANEOUS AND SUPPLEMENTARY

Miscellaneous

103. Powers of Executive and Department as respects provision of services and assistance for owners and occupiers of houses
104. Service of certain documents
105. Repeal of Small Dwellings Acquisition Acts

Supplementary

106. Orders and regulations
107. Minor and consequential amendments
108. Repeals, transitional provisions and savings
Signature

SCHEDULES

SCHEDULE 1 — MODIFICATIONS OF SCHEDULE 6 TO THE LOCAL
GOVERNMENT ACT (NORTHERN IRELAND) 1972 FOR THE
PURPOSES OF ARTICLE 12(3)

1. References to the Department or to the council shall be...
2. References to Schedule 6 to the Local Government Act (Northern...
3. Omit paragraph 1 of that Schedule.
4. In paragraph 2 of that Schedule— (a) for the words...
5. In paragraph 3(1)(b) for the words in brackets substitute “if...
6. In paragraph 4 omit the words from “and may provide”...
7. In paragraph 5— (a) in sub-paragraph (1)(a) omit the words...
8. In paragraph 6(2) for the words “fund out of which...
9. In paragraph 11(3) omit the words “in the prescribed form”...
10. In paragraph 12— (a) in sub-paragraph (1) omit the words...
11. In paragraph 14(1) omit the words “in the prescribed form”...
12. In paragraph 15(1) for the words “in the prescribed form”...
13. Omit paragraph 19.
14. Omit paragraph 20(2).

SCHEDULE 2 — GRANT-AIDED LAND

1. For the purposes of Article 13 “grant-aided land” means land—...
2. The payments referred to in paragraph 1(a) are contributions which...
3. The loans referred to in paragraph 1(b) are—

Status: This is the original version (as it was originally made).

SCHEDULE 3 — PROVISIONS WITH RESPECT TO REPAIRS GRANTS UNDER
ARTICLE 74

1. (1) No repairs grant shall be paid by the Executive...
2. (1) Subject to paragraphs (2) to (4), the Executive shall...
3. (1) Where the Executive approves an application for a repairs...
4. (1) In this Schedule “the appropriate percentage” (which is relevant...
5. If the Executive— (a) does not approve an application for...

SCHEDULE 4 — HOUSES IN MULTIPLE OCCUPATION: MEANS OF ESCAPE
FROM FIRE

Exercise of powers of Executive

1. Subject to Article 80, if it appears to the Executive...

Powers available to Executive

2. (1) The Executive may serve a notice on any person...
3. If it appears to the Executive that the means of...
4. The Executive may secure that part of the house is...
5. For the purpose of securing that a part of the...
6. If the Executive does not accept an undertaking under paragraph...

Enforcement

7. Any person who, knowing that an undertaking has been accepted...

Consultation with Fire Authority

8. The Executive shall, before serving a notice, accepting an undertaking...

Exclusion of protection under Rent (Northern Ireland) Order 1978

9. Nothing in the Rent (Northern Ireland) Order 1978 shall prevent...

Application of Chapter II of Part III of the Order of 1981

10. Chapter II of Part III of the Order of 1981...

Matters requiring to be registered in the Statutory Charges Register

11. There shall be included in the matters which are required...

SCHEDULE 5 — CHAPTER TO BE SUBSTITUTED FOR CHAPTER II OF PART
III OF THE ORDER OF 1981

SCHEDULE 6 — MISCELLANEOUS AMENDMENTS OF THE ORDER OF 1981

Interpretation

1. In Article 2(2) (general interpretation) for the definition of “house...

Housing management

2. In Article 22 (house allocation scheme) after paragraph (4) add...

Provision of housing accommodation

3. In Article 31 (provision of houses for sale)—

Re-development areas

4. In Article 47 (re-development areas), in paragraph (1) for sub-paragraph...

Housing action areas

5. In Article 57 (provision, improvement, etc., of housing accommodation by...
6. In Article 58 (assistance for carrying out environmental works)—

Land acquisition

7. In Article 87 (acquisition of land by the Executive), in...
8. In Article 161 (registration of certain matters as statutory charges),...

Orders excluding buildings from a clearance area

9. In Part II of Schedule 4, in paragraph 15 (suspension...

SCHEDULE 7 — AMENDMENTS OF THE RENT (NORTHERN IRELAND)
ORDER 1978 (NI 20)

1. (1) In Article 3(2A) (definition of “unregistered housing association”) for...
2. In Article 25 (the register of rents) in paragraph (8)...
3. In Article 54 (unlawful eviction and harassment of occupier) after...
4. Schedule 3 shall be omitted.
5. In Part I of Schedule 4 (cases in which court...

SCHEDULE 8 — MINOR AND CONSEQUENTIAL AMENDMENTS

The Land Registration Act (Northern Ireland) 1970 (c. 18 (N.I.))

1. (1) In Schedule 11 (matters requiring to be registered in...

The Income and Corporation Taxes Act 1970 (c. 10)

2. In section 342B (disposals by Northern Ireland housing associations)—

The Land Acquisition and Compensation (Northern Ireland) Order 1973 (NI 21)

3. In Article 30(9) for the definition of “undertaking” substitute—
“undertaking”...

The Housing (Northern Ireland) Order 1983 (NI 15)

4. In Schedule 10 (amendments), in the amendments to the principal...

The Income and Corporation Taxes Act 1988 (c. 1)

5. In section 488 (co-operative housing associations) in subsection (6) for...

The Social Security Administration (Northern Ireland) Act 1992 (c. 8)

6. In section 126(6) (arrangements for housing benefit), in the definition...

Status: This is the original version (as it was originally made).

SCHEDULE 9 —

PART I — REPEALS COMING INTO OPERATION UNDER ARTICLE 1(2)

PART II — REPEALS COMING INTO OPERATION ON A DAY TO BE
APPOINTED UNDER ARTICLE 1(3)

Explanatory Note