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STATUTORY INSTRUMENTS

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**1992 No. 1725**

**The Housing (Northern Ireland) Order 1992**

**CHAPTER II**

**REGISTRATION OF HOUSING ASSOCIATIONS**

**[<sup>F1</sup>General power to obtain information**

**21.**—(1) The Department may for any purpose connected with the discharge of any of its functions in relation to registered housing associations serve a notice on a person requiring him—

- (a) to give to the Department, at a time and place and in the form and manner specified in the notice, such information relating to the affairs of a registered housing association as may be specified or described in the notice, or
- (b) to produce to the Department or a person authorised by the Department, at a time and place specified in the notice, any documents relating to the affairs of the registered housing association which are specified or described in the notice and are in his custody or under his control.

(2) A notice under this Article may be served on—

- (a) a registered housing association,
- (b) any person who is, or has been, an officer, member, employee or agent of a registered housing association,
- (c) a subsidiary or associate of a registered housing association,
- (d) any person who is, or has been, an officer, member, employee or agent of a subsidiary or associate of a registered housing association, or
- (e) any other person who the Department has reason to believe is or may be in possession of relevant information.

(3) No notice shall be served on a person within sub-paragraphs (b) to (e) of paragraph (2) unless—

- (a) a notice has been served on the registered housing association and has not been complied with, or
- (b) the Department believes that the information or documents in question are not in the possession of the housing association.

(4) Nothing in this Article authorises the Department to require—

- (a) the disclosure of anything which a person would be entitled to refuse to disclose on grounds of legal professional privilege in proceedings in the High Court, or
- (b) the disclosure by a banker of anything in breach of any duty of confidentiality owed by him to a person other than a registered housing association or a subsidiary or associate of a registered housing association.

(5) A notice under this Article shall be given in writing.

(6) References in this Article to a document are to anything in which information of any description is recorded; and in relation to a document in which information is recorded otherwise than in legible form, references to producing it are to producing it in legible form.

(7) Where by virtue of this Article documents are produced to any person, he may take copies of or make extracts from them.

(8) In this Article—

“agent” has the meaning given in Article 23(8); and

“associate” and “subsidiary” have the same meanings as in Article 23.]

**F1** Arts. 21-21C substituted (31.7.2010) for art. 21 by [Housing \(Amendment\) Act \(Northern Ireland\) 2010](#) (c. 9), [ss. 6](#), 19(1); S.R. 2010/251, [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Housing (Northern Ireland) Order 1992, Section 21.