
STATUTORY INSTRUMENTS

1992 No. 1725

The Housing (Northern Ireland) Order 1992

PART V

AMENDMENTS OF THE ORDERS OF 1981, 1983 AND 1986

CHAPTER I

AMENDMENTS OF THE ORDER OF 1981

Power of Executive to make housing management scheme

88. After Article 8 of the Order of 1981 (delegation of functions by the Executive) there shall be inserted the following Article—

“Housing management scheme

8A.—(1) The Executive may submit to the Department a scheme making provision for the Executive to delegate to other persons such of the Executive’s management functions as may be specified in the scheme.

(2) A scheme submitted under paragraph (1) may contain such provision as the Executive considers appropriate.

(3) Without prejudice to the generality of paragraph (2), a scheme submitted under paragraph (1) shall, in particular—

(a) specify—

- (i) the category and range of management functions to be delegated by the Executive,
- (ii) the form of management agreements by means of which management functions are to be delegated, and
- (iii) the procedure for consulting tenants of houses to which a management agreement would apply; and

(b) provide—

- (i) that a management agreement is not to be implemented unless it is approved by a majority of the tenants consulted in relation to it in pursuance of subparagraph (a)(iii);
- (ii) that the Department’s approval (which may be given either unconditionally or subject to conditions) is required both for the terms of a management agreement and the identity of a manager.

(4) The Department may approve a scheme submitted under paragraph (1) with or without modifications.

(5) The Executive shall comply with a scheme approved by the Department under paragraph (4).

(6) The Executive may at any time, and if so directed by the Department shall, submit proposals for amending a scheme approved under paragraph (4) or a scheme replacing any such scheme; and paragraphs (2) to (4) shall have effect in relation to those proposals or a scheme replacing an existing scheme as they have effect in relation to a scheme.

(7) In this Article “management agreement” and “manager”, in relation to such an agreement, mean an agreement under this Article and the person with whom the agreement is made.

(8) References in this Article to the management functions of the Executive in relation to houses or land include—

- (a) functions conferred by any statutory provision, and
- (b) the powers and duties of the Executive as holder of an estate in the houses or land in question.”