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## STATUTORY INSTRUMENTS

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# 2006 No. 1459

## The Private Tenancies (Northern Ireland) Order 2006

### PART VI

#### MISCELLANEOUS

##### *Information*

##### **Publication of information to assist landlords and tenants**

**63.**—(1) The Department and the Executive may publish—

- (a) information as to—
  - (i) the rights and duties of landlords and tenants under this Order and the Rent Order, and
  - (ii) the procedure for enforcing those rights or securing the performance of those duties;
- (b) such other information for the assistance of landlords and tenants as may appear to the Department and the Executive to be appropriate.

(2) In exercising the function conferred by paragraph (1), the Department and the Executive may act either jointly or individually.

##### **Collection of information about tenancies**

**64.**—(1) The Department and the Executive may collect such information as they consider desirable with respect to the terms of the tenancies of such dwelling-houses as they may determine.

(2) In exercising the function conferred by paragraph (1), the Department and the Executive may act either jointly or individually.

VALID FROM 30/06/2011

##### **[<sup>F1</sup>Disclosure of information for purposes of Parts 2 to 4**

**64A.**—(1) This Article applies to any relevant information which is held—

- (a) by the Department of Finance and Personnel for the purposes of—
  - (i) its functions under the Rates (Northern Ireland) Order 1977 or the Rates (Capital Values, etc.) (Northern Ireland) Order 2006; or
  - (ii) the administration of housing benefit; or
- (b) by the Northern Ireland Housing Executive for the purposes of the administration of housing benefit.

*Status: Point in time view as at 03/05/2011. This version of this cross heading contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the The Private Tenancies (Northern Ireland) Order 2006, Cross Heading: Information. (See end of Document for details)*

(2) Relevant information to which this Article applies must, if an authorised officer of the appropriate council so requires, be supplied to that council for the purpose of enabling or assisting that council to exercise its functions under any provision of Part 2, 3 or 4.

(3) Any requirement under paragraph (2) must specify—

- (a) the description of relevant information which is to be supplied;
- (b) the form in which that information is to be supplied; and
- (c) the date by which that information is to be supplied.

(4) This Article—

- (a) does not limit the circumstances in which information may be supplied apart from this Article; but
- (b) has effect despite any restriction on the purposes for which relevant information may be disclosed or used.

(5) In this Article—

“authorised officer”, in relation to a council, means an officer of the council authorised for the purposes of this Article by the council;

“housing benefit” means housing benefit provided by virtue of a scheme under section 122 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992;

“relevant information” means information as to—

- (a) the location, age, size or description of a dwelling-house let under a private tenancy;
- (b) the name and address of the landlord or tenant of such a dwelling-house or of any person acting as an agent of the landlord.

#### Textual Amendments

**F1** Arts. 64A, 64B inserted (30.6.2011) by [Housing \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 22\)](#), ss. 6, 25(1); S.R. 2011/241, [art. 2\(1\)](#), Sch. 1

VALID FROM 30/06/2011

#### Unauthorised disclosure of information

**64B.**—(1) An employee of a council commits an offence if he discloses without lawful authority any information—

- (a) which he acquired in the course of his employment;
- (b) which is, or is derived from, information supplied to the council under Article 64A; and
- (c) which relates to a particular dwelling-house or person.

(2) It is not an offence under this Article to disclose information which has previously been disclosed to the public with lawful authority.

(3) It is a defence for a person charged with an offence under this Article to show that at the time of the alleged offence—

- (a) he believed that he was making the disclosure in question with lawful authority and had no reasonable cause to believe otherwise; or
- (b) he believed that the information in question had previously been disclosed to the public with lawful authority and had no reasonable cause to believe otherwise.

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- (4) A person who is guilty of an offence under this Article shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.
- (5) For the purposes of this Article a disclosure of information is to be regarded as made with lawful authority if, and only if, it is made—
- (a) in accordance with his official duty by an employee of the council;
  - (b) in accordance with any statutory provision or order of a court;
  - (c) for the purposes of any criminal proceedings; or
  - (d) with the consent of the person to whom the information relates.]

#### **Textual Amendments**

**F1** Arts. 64A, 64B inserted (30.6.2011) by [Housing \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 22\)](#), ss. 6, 25(1); S.R. 2011/241, [art. 2\(1\)](#), Sch. 1

#### **Information as to ownership of dwelling-houses**

**65.**—(1) The appropriate district council may, for the purpose of enabling it to serve any notice (including any copy of any notice) which it is by this Order authorised or required to serve, require—

- (a) the occupier of any dwelling-house appearing to the council to be let under a private tenancy, and
- (b) any person appearing to the council to be the owner of such a dwelling-house,

to state in writing the nature of his own estate therein and the name and address of any other person known to him as having an estate therein.

(2) In paragraph (1)(b), “the owner” has the meaning given in Article 15.

(3) Any person who, having been required by the appropriate district council in pursuance of this Article to give to it any information, fails to give that information, or knowingly makes any misstatement in respect thereof, shall be guilty of an offence under this Order.

**Status:**

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**Changes to legislation:**

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