

2003 No. 270 (C. 20)

HOUSING

**The Housing (2003 Order) (Commencement No. 1) Order
(Northern Ireland) 2003**

Made - - - - - 13th May 2003

The Department for Social Development, in exercise of the powers conferred on it by Article 1(3) of the Housing (Northern Ireland) Order 2003^(a) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Housing (2003 Order) (Commencement No. 1) Order (Northern Ireland) 2003.

(2) In this Order “the 2003 Order” means the Housing (Northern Ireland) Order 2003.

Appointed days

2.—(1) The provisions of the 2003 Order specified in Schedule 1 shall come into operation on 1st June 2003.

(2) Article 121 of, and Schedule 1 to, the 2003 Order (Transfer of duty to keep register of rents) shall come into operation on 1st July 2003.

(3) For the purposes only of making Regulations, Rules and Orders the provisions of the 2003 Order specified in Schedule 2 shall come into operation on 1st September 2003 and for all other purposes shall come into operation on 1st November 2003.

(4) For the purposes only of making Regulations and Orders, and giving Directions and Guidance the provisions of the 2003 Order specified in Schedule 3 shall come into operation on 1st October 2003 and for all other purposes shall come into operation on 1st December 2003.

Sealed with the Official Seal of the Department for Social Development on 13th May 2003.

(L.S.)

David M. Crothers

A Senior Officer of the Department for Social Development

^(a) S.I. 2003/412 (N.I. 2); See Article 2(2) for the definition of Department

SCHEDULE 1

Article 2(1)

THE PROVISIONS OF THE 2003 ORDER SPECIFIED IN THIS SCHEDULE SHALL
COME INTO OPERATION ON 1ST JUNE 2003

<i>Provisions</i>	<i>Subject Matter of Provisions</i>
Article 126	Acquisition of Land by the Executive for amenity purposes
Article 127	Termination of home insulation schemes
Article 128	Disposal of houses let by the Executive to secure tenants
Article 129	Increase of penalty for obstruction of an authorised officer
Article 130	Membership of the Executive
Article 132	Tenant's improvements
Article 133	Right of secure tenants of the Executive to have repairs carried out
Article 134(1) to (3)	Tenancies which are not secure tenancies
Article 138	Emergency grants
Article 139	Realisation of value of Department's loans portfolio
Article 140	Rent for housing accommodation provided by registered housing associations
Article 141	Disposal of land by registered housing associations
Article 145	Service of certain documents
Article 149 and Schedule 5 in so far as they apply to –	Repeals
(i) Chapter II of Part IV and Article 88C of the Housing (Northern Ireland) Order 1981(a);	
(ii) Article 39 of the Housing (Northern Ireland) Order 1986(b);	
(iii) Article 104 of the Housing (Northern Ireland) Order 1992(c).	

(a) S.I. 1981/156 (N.I. 3); Article 88C was inserted by Article 92 of the Housing (Northern Ireland) Order 1992 (S.I. 1992/1725 (N.I. 15))

(b) S.I. 1986/1301 (N.I. 13)

(c) S.I. 1992/1725 (N.I. 15)

SCHEDULE 2

Article 2(3)

THE PROVISIONS OF THE 2003 ORDER SPECIFIED IN THIS SCHEDULE SHALL COME INTO OPERATION ON 1ST SEPTEMBER 2003 FOR THE PURPOSES ONLY OF MAKING REGULATIONS, RULES AND ORDERS AND ON 1ST NOVEMBER 2003 FOR ALL OTHER PURPOSES

<i>Provisions</i>	<i>Subject Matter of Provisions</i>
Article 3	Members of a person's family
Articles 4 & 5	Introductory
Articles 6 to 21	Introductory Tenancies
Articles 22 to 25	Repossession, &C. of dwelling houses let under secure tenancies
Articles 26 & 27	Injunctions against anti-social behaviour
Article 123	Interpretation of Order of 1981
Article 124	Allocation of housing accommodation
Article 134(4)	Qualifying shorthold tenancies
Article 135	Definition of "homelessness"
Article 136	Becoming homeless intentionally
Article 137	Eligibility for housing assistance
Article 147(1) in so far as it applies to the paragraphs in Schedule 4 specified below	Minor and consequential amendments
Article 147(2)	Power to make amendments or repeals
Article 148	Orders and Regulations
In Schedule 4 –	Minor and consequential amendments
(i) paragraph 5;	
(ii) paragraph 6;	
(iii) paragraph 7;	
(iv) paragraph 8;	
(v) paragraph 9.	
Article 149 and Schedule 5 in so far as they apply to –	Repeals
Article 29(1) of the Housing (Northern Ireland) Order 1983(a).	

(a) S.I. 1983/1118 (N.I. 15)

SCHEDULE 3

Article 2(4)

THE PROVISIONS OF THE 2003 ORDER SPECIFIED IN THIS SCHEDULE SHALL COME INTO OPERATION ON 1ST OCTOBER 2003 FOR THE PURPOSES ONLY OF MAKING REGULATIONS AND ORDERS, AND GIVING DIRECTIONS AND GUIDANCE AND ON 1ST DECEMBER 2003 FOR ALL OTHER PURPOSES

<i>Provisions</i>	<i>Subject Matter of Provisions</i>
Articles 28 to 120	Grants &c. for renewal of private sector housing
Article 125	Caravan sites for members of the Irish Traveller community
Article 142	Repairs grants
Article 143	Amendment of definition of “multiple occupation”
Article 147 (1) in so far as it applies to the paragraphs in Schedule 4 specified below	Minor and consequential amendments
Article 149 in so far as it applies to the provisions in Schedule 5 specified below	Repeals
Schedule 2	Transfer to the Executive of Travellers’ caravan sites
In Schedule 4 –	Minor and consequential amendments
(i) paragraph 1;	
(ii) paragraph 2;	
(iii) paragraph 3;	
(iv) paragraph 4;	
(v) paragraph 10;	
(vi) paragraph 11;	
(vii) paragraph 12.	
In Schedule 5 –	Repeals
(i) Articles 2(4) and (5) and 58(1)(a) of the Housing (Northern Ireland) Order 1981;	
(ii) Part IV of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985(a);	
(iii) Part III Chapter I, Article 73(5) of and paragraph 6(a) of Schedule 6 to the Housing (Northern Ireland) Order 1992;	
(iv) Paragraph 187 of Schedule 9 to the Children (Northern Ireland) Order 1995(b);	
(v) The Local Government (Amendment) (Northern Ireland) Order 1998(c).	

(a) S.I. 1985/1208 (N.I. 15)
 (b) S.I. 1995/755 (N.I. 2)
 (c) S.I. 1998/2796 (N.I. 19)

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order provides for the coming into operation of provisions of the Housing (Northern Ireland) Order 2003 (the 2003 Order) as follows –

1st June 2003 for the provisions set out in Schedule 1 which primarily either give statutory effect to existing administrative arrangements or make minor changes to existing legislative provisions;

1st July 2003 for Article 121 of, and Schedule 1 to, the 2003 Order which transfers the functions of the Department relating to the maintenance of the rent register to the Housing Executive;

1st September 2003 for the provisions set out in Schedule 2 (which relate to introductory tenancies, repossession, injunctions against anti-social behaviour, homelessness, and qualifying shorthold tenancies) for the purposes only of making Regulations, Rules and Orders and 1st November 2003 for all other purposes;

1st October 2003 for the provisions set out in Schedule 3 (which provide for the provision of grant-aid to the private sector in respect of unfit houses or those which need adaptation to suit the needs of the disabled occupant, group repair and for the Housing Executive to take responsibility for the provision of caravan sites for Irish Travellers) for the purposes only of making Regulations and Orders and giving Directions and Guidance and 1st December 2003 for all other purposes.

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