

## **EXPLANATORY MEMORANDUM TO**

### **The Tenancy Deposit Schemes (Amendment) Regulations (Northern Ireland)**

#### **SR 2023 No. 18**

#### **1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department for Communities to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Article 5B(5) and (6) and Article 72(1) of the Private Tenancies (Northern Ireland) Order 2006 and is subject to the negative resolution procedure.

#### **2. Purpose**

- 2.1. These Regulations amend the Tenancy Deposit Schemes Regulations (Northern Ireland) 2012 (“the 2012 Regulations”) by increasing the time limits within which a landlord must provide information to the scheme administrator and the tenant when the deposit is to be safeguarded in a scheme.

#### **3. Background**

- 3.1. These amendments to the 2012 Regulations are in consequence of Article 5B of the Private Tenancies (Northern Ireland) Order 2006 being amended by Section 5 of the Private Tenancies (Northern Ireland) Act 2022. The amendments to Article 5B firstly, extend the time limit for a deposit to be protected in an approved scheme by changing the time limit in paragraph (3) from 14 days to 28 days and, secondly, give additional time for a landlord to provide the prescribed information to the tenant by amending paragraph (6)(b) from 28 days to 35 days. The time limits for requirements relating to tenancy deposits were considered not long enough. The increase of the time limits gives a landlord further time to provide the required information.

#### **4. Consultation**

- 4.1. There is no requirement to consult on these Regulations.

#### **5. Equality Impact**

- 5.1. The Statutory Rule has been screened for any possible impact on equality of opportunity affecting the groups listed in Section 75 of the Northern Ireland Act 1998 and no adverse or differential aspects were identified.

#### **6. Regulatory Impact**

- 6.1. These Regulations do not require a regulatory impact assessment as they do not impose costs on businesses, charities or voluntary groups.

#### **7. Financial Implications**

- 7.1. There are no financial implications associated with these Regulations.

**8. Section 24 of the Northern Ireland Act 1998**

8.1. The Department considers that the Statutory Rule is compatible with Section 24 of the Northern Ireland Act 1998.

**9. EU Implications**

9.1. Not applicable.

**10. Parity or Replicatory Measure**

10.1. These Regulations do not replicate any corresponding legislation in Great Britain.

**11. Additional Information**

11.1. Not applicable.