

SCHEDULES

SCHEDULE 1

AMENDMENTS RELATING TO TRANSFER OF DUTY TO KEEP REGISTER OF RENTS

The Rent (Northern Ireland) Order 1978 (NI 20)

1. In Article 25 (register of rents) for any reference to the Department substitute a reference to the Executive.

2.—(1) The provision inserted by Article 99 of the Order of 1992 as Article 25A of the Rent (Northern Ireland) Order 1978 (removal of tenancies from the register) shall be re-numbered as Article 25B; and any reference to that Article in any other statutory provision shall have effect accordingly.

(2) In that Article for any reference to the Department substitute a reference to the Executive.

3. In Articles 26, 27 and 30 for a reference to the Department substitute a reference to the Executive.

4.—(1) In paragraph (1) of Article 33 (review of registered rents), for the words “The Department” substitute “The Executive”.

(2) For paragraph (2) of that Article substitute—

“(2) Where the Executive determines under paragraph (1) that those registered rents should be increased, it shall make a recommendation to the Department that those rents should be increased.

(2A) Where the Department accepts a recommendation under paragraph (2), it shall make an order providing for the increase of those rents—

(a) by an amount recommended by the Executive, or

(b) by such other amount as the Department, after consultation with the Executive, considers appropriate.

(2B) The amount of an increase may be expressed as a percentage.”

(3) In paragraph (3) of that Article for the words “paragraph (2), it” substitute “paragraph (2A), the Executive”.

5. In Article 34 (collection of information about certain tenancies) for the words “The Department” substitute “The Executive”.

6.—(1) In paragraph (7) of Article 48 (enforcement, etc. of certificates of disrepair), for the words from “the Department” to “pay” substitute “the Executive may, with the consent of the Department, pay”.

(2) In paragraph (8)(a) of that Article for the words “the Department” substitute “the Executive”.

7. In Article 72 (information) after the words “The Department” insert “and the Executive, acting either jointly or individually”.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Housing (Northern Ireland) Order 2003 No. 412*

8. In Schedule 6 (applications for determination of appropriate rents) in sub-paragraphs (3) and (4) of paragraph 4 for the words “the Department” substitute “the Executive”.

The Housing (Northern Ireland) Order 1983 (NI 15)

9. In Article 92 (protected shorthold tenancies), in sub-paragraph (c)(i) of paragraph (1) for the words “the Department” substitute “the Executive”.