



2016 CHAPTER 17

Registration as statutory charge of certain loans

3.—(1) In Article 9 of the Housing (Northern Ireland) Order 1981 (advances by the Executive), after paragraph (2) insert—

“(3) So long as any part of the principal of, or any interest on, a loan under paragraph (1)(a) remains outstanding, the loan is to be a charge on the house or building or buildings in question.

(4) Where paragraph (3) applies—

- (a) the charge shall be enforceable in all respects as if it were a valid mortgage by deed created in favour of the Executive by the person on whose estate the charge has been created (with, where necessary, any authorisation or consent required by law); and
- (b) the Executive may exercise the powers conferred by sections 19, 21 and 22 of the Conveyancing Act 1881 on mortgagees by deed accordingly.”.

(2) In Article 161 of that Order (registration of matters as statutory charges)—

(a) in paragraph (1), before sub-paragraph (a) insert—

“(za) any charge created under Article 9;”;

(b) in paragraph (2)(a)—

(i) for “(a)” (after the word “sub-paragraphs”) substitute “ (za) ”;

(ii) after “the Executive has” insert “ advanced the money, ”.

(3) In Schedule 11 to the Land Registration Act (Northern Ireland) 1970 (matters to be registered in the Statutory Charges Register), in paragraph 37 (matters under the 1981 Order), before sub-paragraph (a) insert—

“(za) any charge created under Article 9;”.

Status:

Point in time view as at 09/07/2016.

Changes to legislation:

There are currently no known outstanding effects for the Housing (Amendment) Act (Northern Ireland) 2016, Section 3.