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STATUTORY INSTRUMENTS

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**1983 No. 1118**

**The Housing (Northern Ireland) Order 1983**

**PART IV**

**AMENDMENTS OF THE PRINCIPAL ORDER**

*CHAPTERS I, II (Arts. 74#84) rep. by 1992 NI 15*

**CHAPTER III**

**MISCELLANEOUS**

**Advances by the Executive**

**85.** The following Article shall be substituted for Article 9 of the principal Order—

**“Advances by the Executive**

- 9.**—(1) Subject to such conditions as the Department may specify, the Executive may—
- (a) advance money by way of loan to any person for any of the purposes mentioned in paragraph (2);
  - (b) on the disposal of any house, allow any sum to be left outstanding on the security of the house; or
  - (c) take a transfer of a mortgage in pursuance of Article 156.
- (2) The purposes referred to in paragraph (1) are—
- (a) acquiring or constructing a house;
  - (b) converting a building into a house or acquiring buildings for that purpose;
  - (c) altering, enlarging, repairing or improving a house;
  - (d) facilitating the repayment of an amount outstanding on a previous loan made for any of the purposes specified in sub-paragraphs (a) to (c).”

*Article 86 rep. by 1992 NI 15*

**Indemnity agreements with building societies**

**87.** The following Article shall be substituted for Article 156 or the principal Order—

**“Power of the Executive to enter into indemnity agreements with building societies**

**156.**—(1) The Executive may, with the approval of the Department, enter into agreements with building societies lending on the security of house property in Northern Ireland whereby, in the event of default by the mortgagor, and in circumstances and subject to conditions specified in the agreements, the Executive binds itself to indemnify the building society in respect of—

*Status: Point in time view as at 01/01/2006.*

*Changes to legislation: There are currently no known outstanding effects for the The Housing (Northern Ireland) Order 1983, PART IV. (See end of Document for details)*

- (a) the whole or part of the mortgagor's outstanding indebtedness; and
  - (b) any loss or expense falling on the building society in consequence of the mortgagor's default.
- (2) In paragraph (1) “house property” means any property which is a house within the meaning of Article 2(2).
- (3) The agreement may also, where the mortgagor is made party to it, enable or require the Executive in specified circumstances to take a transfer of the mortgage and assume rights and liabilities under it, the building society being then discharged in respect of them.
- (4) The transfer may be made to take effect—
- (a) on any term provided for by the agreement (including terms involving substitution of a new mortgage agreement or modification of the existing one); and
  - (b) so that the Executive is treated as acquiring (for and in relation to the purposes of the mortgage) the benefit and burden of all preceding acts, omissions and events.
- (5) The Department may under paragraph (1) approve particular agreements or give notice that particular forms of agreement have its approval; and—
- (a) may in either case make the approval subject to conditions;
  - (b) shall, before giving notice that a particular form has its approval, consult the Registrar of Friendly Societies for Northern Ireland, the Executive and such organisations representative of building societies as the Department thinks expedient.
- (6) In this Article “building society” means a society within the meaning of the Building Societies Act 1962 or the Building Societies Act (Northern Ireland) 1967.”.

#### **Financial assistance for voluntary organisations concerned with housing**

**88.** After Article 156 of the principal Order there shall be inserted the following Article—

##### **“Financial assistance for voluntary organisations concerned with housing**

**156A.**—(1) Subject to such terms and conditions as it may determine, the Department may, with the consent of the Department of Finance and Personnel, give to a voluntary organisation assistance by way of grant or by way of loan, or partly in the one way and partly in the other, for the purpose of enabling or assisting the organisation to provide training or advice, or to undertake research, or for other similar purposes relating to housing.

(2) In paragraph (1) “voluntary organisation” means a body the activities of which are carried on otherwise than for profit, but does not include any district council or other public body, within the meaning of section 146(2) of the Local Government Act (Northern Ireland) 1972, or a registered housing association with the meaning of Article 114.”.

#### **Increase of membership of the Executive**

**89.** In paragraph 1 (1) of Schedule 1 to the principal Order for the word “nine” there shall be substituted the word “ten”.

**Status:**

Point in time view as at 01/01/2006.

**Changes to legislation:**

There are currently no known outstanding effects for the The Housing (Northern Ireland) Order 1983, PART IV.