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STATUTORY RULES OF NORTHERN IRELAND

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**2012 No. 373**

The Tenancy Deposit Schemes  
Regulations (Northern Ireland) 2012

PART 2

Appointment of Scheme Administrator

**Appointment of Scheme Administrator**

3.—(1) The Department may appoint a person who has applied to the Department to establish and maintain a tenancy deposit scheme of a description prescribed in Part 3 where the Department has approved that application under the Regulations.

- (2) The Department must not approve an application where the applicant:—
- (a) has been convicted of any offence involving fraud or dishonesty;
  - (b) is a bankrupt; or
  - (c) is disqualified from being a director of a company.

**Coming into force of a scheme and amendments**

4. Upon application by a person approved under regulation 3 neither a tenancy deposit scheme nor any amendment to that scheme shall come into force unless approved by the Department.

**Approval of a tenancy deposit scheme**

5. The Department shall not approve a tenancy deposit scheme where:—
- (a) the scheme is not of a description prescribed in Part 3 (description of schemes);
  - (b) the scheme administrator and the scheme do not satisfy the requirements of Part 4 (financing and accountability requirements);
  - (c) the scheme administrator does not satisfy the requirements of Part 6 (dispute resolution);
  - (d) the scheme does not include a customer service facility which is available to users of tenancy deposit schemes for the purposes of, in particular:—
    - (i) handling enquiries in relation to the tenancy deposit scheme whether made by telephone, letter, or electronic means; and
    - (ii) dealing with complaints about the tenancy deposit scheme, including complaints about the service provided by the scheme administrator;
  - (e) the tenancy deposit scheme is not available to all landlords, including those living outside of the Northern Ireland jurisdiction but operating in Northern Ireland, and their tenants.