

## **EXPLANATORY MEMORANDUM TO**

### **The Landlord Registration Scheme (Amendment) Regulations (Northern Ireland) 2016**

**SR 2016 No. 257**

#### **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 Articles 65A(1) and (2) and Article 73(1) of the Private Tenancies (Northern Ireland) Order 2006 and is subject to the affirmative resolution procedure.

#### **2. Purpose**

- 2.1. The purpose of the Regulations is to amend regulation 2 and 9 of the Landlord Registration Scheme Regulations (Northern Ireland) 2014 to require that information held by the registrar and not included in the register of landlords shall, on request from an authorised officer, be disclosed to the Department for Communities for certain purposes.
- 2.2. With the introduction of Welfare Supplementary Payments as a result of the Benefit Cap and the Housing Element of Universal Credit which the Department for Communities have responsibility for administering, housing costs will only be paid direct to a Landlord if that Landlord has registered with the Landlord Registration Scheme. Therefore authorised users from the Department for Communities need access to the landlord register to confirm if the landlord is registered with the scheme before housing costs payments can be paid directly to a Landlord .

#### **3. Background**

- 3.1. In March 2010, the Department published its strategy for the private rented sector 'Building Sound Foundations - a Strategy for the Private Rented Sector' which included a number of recommendations for the sector one of which was the Landlord Registration Scheme which was introduced in 2014 to establish better regulation of the sector.
- 3.2. When the Landlord Registration Scheme was introduced in 2014 it allowed authorised users from District Councils, Department of Finance and Personnel (now the Department of Finance) and the Northern Ireland Housing Executive access to information on the register to enable them to carry out their statutory functions.

#### **4. Consultation**

- 4.1. Consultation was not necessary for this administrative change as consultation was already carried out in 2009 on the strategy 'Building Sound Foundations - a Strategy for the Private Rented Sector'.

## **5. Equality Impact**

- 5.1. The Department considers that this legislation is in compliance with Section 75 of the Northern Ireland Act 1998. A full equality impact assessment did not have to be carried out as the policy has been screened out. No adverse equality differentials are foreseen on Section 75 groups and it will have a positive impact on all equality groups.

## **6. Regulatory Impact**

- 6.1. A regulatory impact assessment is not considered necessary.

## **7. Financial Implications**

- 7.1. There are no financial implications

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

- 8.1. The Department has considered section 24 of the Northern Ireland Act 1998 and is satisfied that the rule is not incompatible with any of the convention rights; is not incompatible with community law; does not discriminate against a person or class of person on the ground of religious belief or political opinion; and does not modify an enactment in breach of section 7 of the Northern Ireland Act 1998

## **9. EU Implications**

- 9.1. Not applicable

## **10. Parity or Replicatory Measure**

- 10.1. This is stand alone legislation for Northern Ireland and there is no impact on GB devolved administrations.

## **11. Additional Information**

- 11.1. Not applicable