

## SCHEDULES

### SCHEDULE 4

Article 149(1)

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The Land Registration Act (Northern Ireland) 1970 (c. 18)*

1.—(1) Schedule 11 (matters requiring to be registered in the Statutory Charges Register) shall be amended as follows.

(2) The paragraph inserted by paragraph 2 of Schedule 3 to the [Street Works \(Northern Ireland\) Order 1995 \(NI 19\)](#) as paragraph 42 shall be re-numbered as paragraph 43.

(3) The paragraph inserted by paragraph 1 of Schedule 5 to the [Waste and Contaminated Land \(Northern Ireland\) Order 1997 \(NI 19\)](#) as paragraph 42 shall be re-numbered as paragraph 44.

(4) A reference in any statutory provision to either of those paragraphs shall be construed accordingly.

(5) At the end of the Schedule add—

“45. Any of the following matters under Part III of the Housing (Northern Ireland) Order 2003—

- (a) a grant condition registrable by virtue of Article 76(3), 77(3), 78(3), 79(3), 80(3), 81(3) and 83(2);
- (b) a statutory condition of participation in a group repair scheme as an assisted participant registrable under Article 100(2) or 101(3);
- (c) a charge under Article 117(5).”.

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

2. In Article 48(8) (enforcement of certificates of disrepair: meaning of “the appropriate amount”) for the words from “In this paragraph” onwards substitute—

“In this paragraph “repairs grant” means a grant under Article 74 of the Housing (Northern Ireland) Order 1992.”.

##### *The Housing (Northern Ireland) Order 1981 (NI 3)*

3.—(1) Article 41A (repair notices and group repair schemes) is amended as follows.

(2) In paragraph (2), for the words “Article 68 of the Housing (Northern Ireland) Order 1992” substitute “Article 96(1) of the Housing (Northern Ireland) Order 2003.”.

(3) In paragraph (5), for the words “Part III of the Housing (Northern Ireland) Order 1992” substitute “Chapter III of Part III of the Housing (Northern Ireland) Order 2003”.

4.—(1) Article 58 (environmental works: no assistance where grant made) is amended as follows.

(2) In paragraph (1)(a) omit the words from “not being” to “1992”.

(3) In paragraph (2), for the words “paragraph (3)” substitute “paragraphs (2A) and (3)”.

(4) After paragraph (2) insert—

“(2A) No assistance under paragraph (1) shall be given towards works in respect of which an application for renovation grant or common parts grant under Chapter II of Part III of the Housing (Northern Ireland) Order 2003 has been approved.”.

5. In Article 162 (regulations), in paragraph (2) after the word “Order” insert “other than those made under Article 22A(3)”.

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

6. In Article 24(1) (interpretation of Chapter II of Part II), at the appropriate place in alphabetical order insert—

“introductory tenancy” has the same meaning as in Chapter II of Part II of the Housing (Northern Ireland) Order 2003;”.

7. In Article 26(4) (cases where the secure tenant is a successor) after sub-paragraph (c) insert “or

(d) the tenancy was previously an introductory tenancy and he was a successor to the introductory tenancy.”.

8. In Article 38(4) (provision of information about secure tenancies), for sub-paragraphs (a) and (b) substitute “when the tenancy arises or as soon as practicable afterwards”.

9.—(1) In Schedule 2 (tenancies which are not secure tenancies)—

- (a) the provision numbered as paragraph 1 shall become sub-paragraph (1) of paragraph 1; and
- (b) the provision inserted by paragraph 4 of Schedule 4 to the Order of 1986 as paragraph 1A shall become sub-paragraph (2) of paragraph 1.

(2) After paragraph 1 insert—

#### *“Introductory tenancies*

1A. A tenancy is not a secure tenancy if it is an introductory tenancy or a tenancy which has ceased to be an introductory tenancy—

- (a) by virtue of Article 15(3) of the Housing (Northern Ireland) Order 2003 (disposal on death to non-qualifying person), or
- (b) by virtue of the tenant, or in the case of a joint tenancy every tenant, ceasing to occupy the dwelling-house as his only or principal home.”.

#### *The Housing (Northern Ireland) Order 1986 (NI 13)*

10.—(1) Article 6 (entitlement to reinstatement grant or repurchase) shall be amended as follows.

(2) In paragraphs (8) and (9) for the words “grant under Part III of the Order of 1983” substitute “renovation grant or common parts grant under Chapter II of Part III of the Housing (Northern Ireland) Order 2003”.

(3) In paragraph (10) for the words “Part III of the Order of 1983” substitute “Chapter II of Part III of the Housing (Northern Ireland) Order 2003”.

*The Housing (Northern Ireland) Order 1992 (NI 15)*

**11.**—(1) Article 73 (replacement grants) shall be amended as follows.

(2) In paragraph (3)(a)(i) for the words “scheme applies” substitute “regulations apply”.

(3) Omit paragraph (5).

**12.**—(1) Article 103 (power of the Executive and the Department to provide professional, &c. services in relation to works) shall be amended as follows.

(2) In paragraph (2)(b), for the words “Article 52(3) or (4)” substitute “Article 54 of the Housing (Northern Ireland) Order 2003 (disabled facilities grants: purposes)”.

(3) In paragraph (2)(c), for the words “Article 53(3)” substitute “Article 43 or 58 of the Housing (Northern Ireland) Order 2003 (renovation grants or HMO grants: purposes)”.

(4) For paragraph (2)(d) substitute—

“(d) works for which home repair assistance may be available under Articles 106 to 109 of the Housing (Northern Ireland) Order 2003”.