



Social Security Administration (Northern Ireland) Act 1992

1992 CHAPTER 8

PART VIII

ARRANGEMENTS FOR HOUSING BENEFIT

[^{F1}Directions by Department]

[^{F1}128F Enforcement notices.

- (1) Where directions have been given to the Housing Executive under [^{F2}section 128D(3A) or (3B)] above and the Department—
 - (a) is not satisfied that the Executive has attained the standards which it has been directed to attain; or
 - [is not satisfied that the Housing Executive has taken the action which it has
 - ^{F3}(aa) been directed to take;]
 - (b) is not satisfied that the Executive is likely to attain those standards [^{F4}or take that action] within the time specified in the directions,the Department may serve on the Executive a written notice under this section.
- (2) The notice shall—
 - (a) identify the directions and state why the Department is not satisfied as mentioned in paragraph (a) [^{F5}, (aa)] or (b) of subsection (1) above; and
 - (b) require the Housing Executive to submit a written response to the Department within a time specified in the notice.
- (3) If any person (other than the Housing Executive) carrying out work relating to the administration of housing benefit may be affected by any determination which may be made under section 128G below, the Executive shall—
 - (a) consult that person before submitting its response; and
 - (b) include in its response any relevant observations made by that person.

Changes to legislation: Social Security Administration (Northern Ireland) Act 1992, Section 128F is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (4) [^{F6}If the notice identifies directions under section 128D(3A) above,] the Housing Executive's response shall either—
- (a) state that the Executive has attained the standards, or is likely to attain them within the time specified in the directions, and justify that statement; or
 - (b) state that the Executive has not attained the standards, or is not likely to attain them within that time, and (if the Executive wishes) give reasons why a determination under section 128G below should not be made or should not include any particular provision.
- [If the notice identifies directions under section 128D(3B) above, the Housing ^{F7}(4A) Executive's response shall either—
- (a) state that the Housing Executive has taken the action, or is likely to take it within the time specified in the directions, and justify that statement; or
 - (b) state that the Housing Executive has not taken the action, or is not likely to take it within that time, and (if the Housing Executive wishes) give reasons why a determination under section 128G below should not be made or should not include any particular provision.]
- (5) The notice may relate to any one or more matters covered by the directions.
- (6) The serving of a notice under this section relating to any directions or matter does not prevent the serving of further notices under this section relating to the same directions or matter.]

Textual Amendments

- F1** Ss.128E-128H inserted (1.7.1997) by S.I. 1997/1182 (N.I. 11), **art. 9**; S.R. 1997/316, art. 2, **Sch.**
- F2** Words in s. 128F(1) substituted (1.4.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(1), **Sch. 5 para. 3(2)(a)**; S.R. 2008/147, art. 2(c)
- F3** S. 128F(1)(aa) inserted (1.4.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(1), **Sch. 5 para. 3(2)(b)**; S.R. 2008/147, art. 2(c)
- F4** Words in s. 128F(1)(b) inserted (1.4.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(1), **Sch. 5 para. 3(2)(c)**; S.R. 2008/147, art. 2(c)
- F5** Word in s. 128F(2)(a) inserted (1.4.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(1), **Sch. 5 para. 3(3)**; S.R. 2008/147, art. 2(c)
- F6** Words in s. 128F(4) inserted (1.4.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(1), **Sch. 5 para. 3(4)**; S.R. 2008/147, art. 2(c)
- F7** S. 128F(4A) inserted (1.4.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(1), **Sch. 5 para. 3(5)**; S.R. 2008/147, art. 2(c)

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 126-128H repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to [legislation.gov.uk](#). [S.I. 2018/1125](#), reg. 8 omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))
- Act modified by [S.R. 2019/211 art. 2\(2\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). Affecting Order revoked (19.12.2020) without ever being in force by [S.R. 2020/347](#), arts. 1(1), 2)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 101(1)(4)(5)s. 101(6)(a)(b) words repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 2A(9) added by [2010 c. 13 \(N.I.\) Sch. 1 para. 24](#)
- s. 2G(1)(d) inserted by [S.I. 2015/2006 \(N.I.\) art. 65\(5\)](#)
- s. 5(1A)-(1C) inserted by [2010 c. 13 \(N.I.\) s. 18\(2\)\(c\)](#)
- s. 31A(1A) words substituted by [S.I. 2015/2006 \(N.I.\) Sch. 4 para. 11\(a\)\(ii\)](#)
- s. 104A(1A)-(1C) inserted by [2007 c. 2 \(N.I.\) s. 42\(3\)](#)
- s. 110A inserted by [2007 c. 2 \(N.I.\) s. 43](#)
- s. 110A repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 110A heading word inserted by [S.I. 2015/2006 \(N.I.\) art. 114\(4\)](#)
- s. 110A(2) words substituted by [S.I. 2015/2006 \(N.I.\) art. 114\(5\)\(a\)](#)
- s. 110A(2)(b) words substituted by [S.I. 2015/2006 \(N.I.\) art. 114\(5\)\(b\)](#)
- s. 110A(4)(b) words substituted by [S.I. 2015/2006 \(N.I.\) art. 114\(6\)](#)
- s. 110ZA inserted by [S.I. 2015/2006 \(N.I.\) art. 114\(2\)](#)
- s. 110ZA repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 116E and cross-heading inserted by [2010 c. 13 \(N.I.\) s. 16\(3\)](#)
- s. 126(2)-(2B) substituted for s. 126(2) by [2007 c. 2 \(N.I.\) s. 35](#)
- s. 130AB inserted by [2008 c. 13 \(N.I.\) Sch. 3 para. 14](#)
- s. 140C inserted by [S.I. 2015/2006 \(N.I.\) Sch. 2 para. 20](#)
- s. 166(2)(ac) inserted by [2010 c. 13 \(N.I.\) s. 17](#)