



Housing and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1946

1946 CHAPTER 4

PART I

HOUSING

CONTRIBUTIONS TO PERSONS PROVIDING HOUSES

2^{F1} Statutory conditions attaching to houses provided under s.1 of this Act.

A house provided or purported to have been provided in pursuance of a scheme approved by a [^{F2} district council] under section one of this Act shall, until the expiration of a period of ten years next after the date certified by the [^{F2} district council] as the date on which the house becomes reasonably fit for occupation, be held subject to the following conditions (in this Part of this Act referred to as the statutory conditions), and to the provisions of the next succeeding section of this Act regarding the enforcement of those conditions, that is to say:—

- (a) the house shall as soon as practicable be let to a worker to be chosen by the person entitled to make such letting (in this Part of this Act referred to as the proprietor) or his authorised agent [^{F3} from those workers whose names are or have been on a list to be kept by the [^{F2} Northern Ireland Housing Executive]], being a list of the persons to whom the [^{F2} Northern Ireland Housing Executive] are required, by virtue of section twenty-three of the Housing Act (Northern Ireland), 1945^{F4} (in this Part of this Act referred to as the Act of 1945) and regulations made thereunder, to give reasonable preference in the selection of tenants or occupiers of housing accommodation provided by the [^{F3} Northern Ireland Housing Executive] under that Act ...^{F5} and the house shall not during such period be let, sub-let to, or occupied by, any person other than a worker whose right to occupy arises under or by virtue of a

Changes to legislation: There are currently no known outstanding effects for the Housing and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1946, Section 2. (See end of Document for details)

letting which complies in all respects with the requirements of this paragraph as to the first letting of the house;

- (b) the house or any estate, interest or share therein shall not be sold assigned or transferred without the written consent of the Ministry:

Proviso rep. by 1967 c.34 (NI)

- (c) any attempted letting, sub-letting, sale, assignment or transfer in contravention of the two last foregoing paragraphs shall be void;
- (d) [^{F3} a person shall not before, on, or after, or as a condition of, or in connection with, or otherwise in relation to, any letting of the house be asked, induced or required to pay, whether to the person by whom the house is let or to any other person whatsoever,] any fine, premium or other like sum, or to give any other consideration, in addition to the rent payable by him, and where any such payment or consideration has been made or given the amount or value thereof shall be recoverable by the person by whom it was made or given:

[^{F6} Provided that this paragraph shall not apply where—

- (a) the payment or consideration was made or given upon the terms that it should be recoverable either on demand or on notice of not longer than six months' duration; or
- (b) the payment or consideration was made or given pursuant to the terms of any collateral agreement and the court is satisfied that those terms are not unfair to the tenant];
- (e) a person shall not on or as a condition of any letting of the house be required to enter into any agreement, undertaking or other arrangement, for the purchase by him of the ownership of, or any other interest in, the house and no such agreement, undertaking or arrangement entered into by him on or before the letting of the house to him shall be enforceable against him;
- (f) the house shall not [^{F3} be so enlarged, altered or structurally modified as to exceed in superficial area one thousand and fifty square feet] and shall not be amalgamated with any other house or houses so that such houses will together form a single house;
- (g) the house shall be kept in good sanitary condition and repair and shall not be used for any purpose other than as the dwelling-house ...^{F7}; and
- (h) the [^{F2} district council] shall have power to enter the house by any person authorised by them in writing at all reasonable times for the purpose of ascertaining whether the statutory conditions are complied with.

F1	1970 c.18 (NI)
F2	SRO (NI) 1973/285
F3	1951 c.13 (NI)
F4	1981 NI 3
F5	SRO (NI) 1973/285
F6	1951 c.13 (NI)
F7	1976 NI 25

Changes to legislation:

There are currently no known outstanding effects for the Housing and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1946, Section 2 .