



## 2011 CHAPTER 22

### *The Housing Executive*

#### **Power of Executive to enter into arrangements with other statutory authorities**

**21.—(1)** The Department may by regulations make provision for or in connection with enabling the Executive (on the one hand) and prescribed statutory authorities (on the other) to enter into prescribed arrangements in relation to the exercise of prescribed functions of the Executive and prescribed housing-related functions of the statutory authorities, if the arrangements are likely to lead to an improvement in the way in which those functions are exercised.

(2) The arrangements which may be prescribed include arrangements for or in connection with—

- (a) the exercise by the Executive on behalf of a statutory authority of prescribed housing-related functions of the authority,
  - (b) the exercise by a statutory authority on behalf of the Executive of prescribed functions of the Executive,
  - (c) the provision of staff, goods, services or accommodation in connection with any arrangements mentioned in paragraph (a) or (b),
  - (d) meeting expenditure incurred in connection with the arrangements, including provision for the making of payments by a statutory authority to the Executive or by the Executive to a statutory authority.
- (3) Regulations under this section may make provision—
- (a) as to the cases in which the Executive and statutory authorities may enter into prescribed arrangements,

- (b) as to the conditions which must be satisfied in relation to prescribed arrangements (including conditions in relation to consultation),
  - (c) for or in connection with requiring the consent of a Northern Ireland department to the operation of prescribed arrangements (including provision in relation to applications for consent, the approval or refusal of such applications and the variation or withdrawal of approval),
  - (d) as to the sharing of information between the Executive and statutory authorities.
- (4) Any arrangements made by virtue of this section shall not affect—
- (a) the liability of the Executive for the exercise of any of its functions,
  - (b) the liability of statutory authorities for the exercise of any of their functions, or
  - (c) any power or duty to recover charges in respect of services provided in the exercise of any functions of statutory authorities.
- (5) A Northern Ireland department may issue guidance to the Executive and statutory authorities in relation to consultation or applications for consent in respect of prescribed arrangements.
- (6) The reference in subsection (1) to an improvement in the way in which functions are exercised includes an improvement in the provision to any individuals of any services to which those functions relate.
- (7) In this section—
- “housing-related functions”, in relation to a statutory authority, means functions of the authority which, in the opinion of the Department—
- (a) have an effect on the housing of any individual,
  - (b) have an effect on, or are affected by, any functions of the Executive, or
  - (c) are connected with any functions of the Executive;
- “prescribed” means prescribed by regulations under this section;
- “statutory authority” means a body or person exercising functions under any Act of Parliament or Northern Ireland legislation.
- (8) Regulations under this section—
- (a) are subject to negative resolution;
  - (b) may contain such incidental, supplementary, transitional and saving provisions as appear to the Department to be necessary or expedient.