

These notes refer to the Housing (Amendment) Act (Northern Ireland) 2016 (c.17) which received Royal Assent on 9 May 2016

Housing (Amendment) Act (Northern Ireland) 2016

EXPLANATORY NOTES

INTRODUCTION

1. These Explanatory Notes relate to the Housing (Amendment) Act (Northern Ireland) 2016 which received Royal Assent on 9 May 2016. They have been prepared by the Department for Social Development (“the Department”) in order to assist the reader in understanding the Act. They do not form part of the Act and have not been endorsed by the Assembly.
2. The notes need to be read in conjunction with the Act. They are not, and are not meant to be, a comprehensive description of the Act. So where a section or part of a section does not seem to require an explanation or comment, none is given.

BACKGROUND AND POLICY OBJECTIVES

3. The purpose of the Act is to facilitate the sharing of information in relation to empty homes and anti-social behaviour, and to enable the Northern Ireland Housing Executive to register a statutory charge in respect of grants made by way of loan.

OVERVIEW

4. The Act has 5 Sections.

COMMENTARY ON SECTIONS

Section 1: Sharing of information relating to empty properties

Section 1 provides for circumstances in which the Department of Finance & Personnel must disclose to the Department for Social Development or the Northern Ireland Housing Executive certain information about empty properties.

Section 1 also provides for circumstances in which the Department for Social Development and the Housing Executive must disclose certain rating-related information to the Department of Finance & Personnel.

Section 2: Disclosure of information relating to anti-social behaviour

Section 2 provides that a person may disclose certain information about anti-social behaviour to the Housing Executive or a registered housing association where such information is required for certain housing management purposes. Those purposes include applying for injunctions prohibiting anti-social behaviour, applying for possession orders on Ground 2 in Schedule 3 to the Housing (Northern Ireland) Order 1983 (convictions and other anti-social conduct), withholding consent to the mutual exchange of secure tenancies, instigating criminal proceedings, deciding whether a secure tenant is entitled to exercise the right to buy their home, and determining that a person is not eligible for accommodation on the basis of their unacceptable behaviour.

Section 3: Registration as statutory charge of certain loans

Section 3 provides that so long as any part of the principal of, or any interest on, a loan made by the Housing Executive under Article 9 of the Housing (Northern Ireland) Order 1981 (for certain purposes including making repairs or improvements to a house) remains outstanding, the loan is to be a charge on the house or building(s) in question, and that such charges shall be registered in the Statutory Charges Register.

Section 4: Commencement

Section 4 provides that the Act will come into operation at the end of the period of 2 months beginning with the date on which it receives Royal Assent.

Section 5: Short title

Section 5 provides that the Act may be cited as the Housing (Amendment) Act (Northern Ireland) 2016.

HANSARD REPORTS

5. The following table sets out the dates of the Hansard reports for each stage of the Act's passage through the Assembly and the date Royal Assent was received.

<i>STAGE</i>	<i>DATE</i>
Introduction to the Northern Ireland Assembly ("Assembly").	30.06.15
Assembly- Second Stage debate	21.09.15
Committee Stage- evidence from the Department for Social Development	24.09.15
Committee Stage- evidence from the Landlords Association of Northern Ireland	01.10.15

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<i>STAGE</i>	<i>DATE</i>
Committee Stage- evidence from the Housing Rights Service, the Northern Ireland Human Rights Commission, Supporting Communities (NI), the Northern Ireland Federation of Housing Associations and HELM housing association.	08.10.15
Committee Stage- evidence from the Information Commissioner's Office, the Chartered Institute of Housing (NI), the Northern Ireland Local Government Association and councils.	15.10.15
Committee Stage- evidence from the Department for Social Development	05.11.15
Committee Stage- further evidence from the Department for Social Development	12.11.15
Committee Stage- further evidence from the Department for Social Development	19.11.15
Committee Stage- further evidence from the Department for Social Development	26.11.15
Committee Stage- clause by clause scrutiny	03.12.15
Committee Stage- clause by clause scrutiny	10.12.15
Committee publishes its report on the Bill- Report No. NIA269 /11-16	07.01.16
Assembly- Consideration Stage	01.02.16
Assembly- Further Consideration Stage	15.02.16
Assembly- Final Stage	23.02.16
Royal Assent	09.05.16