



2016 CHAPTER 22

PART 5

Supplementary

Code of practice

Code of practice

63.—(1) The Department may make regulations approving a code of practice laying down standards of conduct and practice to be followed with regard to the management of houses in multiple occupation.

(2) The standards laid down in the code may, in particular, relate to—

(a) the repair, maintenance, cleansing and good order of—

(i) all means of water supply and drainage in the house,

(ii) all means of escape from fire and all apparatus, systems and other things provided by way of fire precautions,

(iii) kitchens, bathrooms and water closets,

(iv) sinks and wash-basins,

(v) staircases, corridors and passage ways, and

(vi) outbuildings, yards and gardens;

(b) the making of satisfactory arrangements for the disposal of refuse and litter from the house; and

(c) the making of satisfactory arrangements to ensure that all means of escape from fire are kept clear of obstructions.

(3) The code may—

- (a) specify the persons who are, for the purposes of the code, to be treated as the managers of houses;
 - (b) impose a duty on the person managing the house to cause a copy of the code to be displayed in a suitable position in the house.
- (4) The Department may by regulations—
- (a) approve a modification of a code of practice under this section, or
 - (b) withdraw its approval of such a code or modification.
- (5) The code, and any modification, may be prepared by the Department or by another person.
- (6) The Department may approve a code of practice or a modification of a code only if satisfied that—
- (a) the code or modification has been published (whether by the Department or by another person) in a manner that the Department considers appropriate for the purpose of bringing the code or modification to the attention of those likely to be affected by it, or
 - (b) arrangements have been made for the code or modification to be so published.
- (7) Before approving a code of practice or a modification of a code, the Department must consult—
- (a) persons involved in the management of HMOs, or such persons as appear to the Department to be representative of them, and
 - (b) persons occupying HMOs, or such persons as appear to the Department to be representative of them.
- (8) A failure to comply with a code of practice for the time being approved under this section—
- (a) does not of itself make a person liable to civil or criminal proceedings, but
 - (b) in accordance with section 10(4)(e), may be taken into account as a relevant matter in deciding whether a person is a fit and proper person for the purposes of this Act.