SCHEDULES

SCHEDULE 7

Section 89.

Consequential amendments

Land Registration Act (Northern Ireland) 1970

1 In Schedule 11 (matters which must be registered in the Statutory Charges Register), after paragraph 51 insert—

"**52** Any of the following notices under the Houses in Multiple Occupation Act (Northern Ireland) 2016—

(a) a rectification notice;

(b) a Part 4 notice;

(c) a notice under paragraph 5(3)(b) of Schedule 3 (notice of intention to carry out work in default).".

Commencement Information

I1 Sch. 7 para. 1 in operation at 1.4.2019 by S.R. 2019/39, **art. 2** (with art. 3)

Rates (Northern Ireland) Order 1977

2 In Article 20(1B) (rating of owners instead of occupiers in certain cases)—

(a) for "Part IV of the Housing (Northern Ireland) Order 1992 (NI 15)" substitute " the Houses in Multiple Occupation Act (Northern Ireland) 2016 ", and

(b) for "shall not be treated as a qualifying person" substitute " is to be disregarded ".

Commencement Information

I2 Sch. 7 para. 2 in operation at 1.4.2019 by S.R. 2019/39, **art. 2** (with art. 3)

Housing (Northern Ireland) Order 1981

3.—(1) In Article 2(2), in the definition of "house in multiple occupation", for "Article 75 of the Housing (Northern Ireland) Order 1992" substitute " section 1 of the Houses in Multiple Occupation Act (Northern Ireland) 2016 ".

(2) In Article 41(4) (service of repair notice), for "the person managing the house" substitute " the managing agent of the house (within the meaning of the Houses in Multiple Occupation Act (Northern Ireland) 2016) ".

Commencement Information

I3 Sch. 7 para. 3 in operation at 1.4.2019 by S.R. 2019/39, **art. 2** (with art. 3)

Home Energy Conservation Act 1995

4 In section 1(1), in the definition of "residential accommodation", in paragraph (aa)(iii) (houses in multiple occupation: Northern Ireland), for "Article 75 of the Housing (Northern Ireland) Order 1992" substitute " section 1 of the Houses in Multiple Occupation Act (Northern Ireland) 2016 ".

Commencement Information

I4 Sch. 7 para. 4 in operation at 1.4.2019 by S.R. 2019/39, **art. 2** (with art. 3)

Housing (Northern Ireland) Order 2003

5 In Article 2(2) (general interpretation), at the appropriate place insert—

"the Act of 2016" means the Houses in Multiple Occupation Act (Northern Ireland) 2016;".

Commencement Information

I5 Sch. 7 para. 5 in operation at 1.4.2019 by S.R. 2019/39, **art. 2** (with art. 3)

6.—(1) In Article 28(1)—

(a) in the definition of "house in multiple occupation", for "the same meaning as in Part IV of the Order of 1992" substitute " the meaning given by section 1 of the Act of 2016 ";

(b) in the definition of "owner", for "the same meaning as in Article 2 of the Order of 1981" substitute " the meaning given by section 88(5) and (6) of the Act of 2016 ".

(2) In Article 43(4) (precautions to comply with statutory provisions which can be the subject of a grant), for the words from "to comply with a notice" to the end substitute " by a works requirement in a hazard notice under Part 4 of the Act of 2016 (requirement to carry out works to remove hazard) so far as the requirement relates to premises that are not part of the HMO for the purposes of that Act. ".

(3) For Article 48(1)(b) (purposes for which common parts grants may be given) substitute—

"(b) to comply with a works requirement in a hazard notice under Part 4 of the Act of 2016 (requirement to carry out works to remove hazard) or to make the house suitable for occupation as an HMO in accordance with section 13 of that Act;".

(4) For Article 58(1)(b) (purposes for which HMO grants may be given) substitute—

"(b) to comply with a requirement in a temporary exemption notice, a rectification notice or a hazard notice under the Act of 2016, to carry out works specified in a statement of remedial work under section 53 of that Act, or to make the house suitable for occupation as an HMO in accordance with section 13 of that Act;".

(5) In Article 59 (approval of application for HMO grant)—

(a) in paragraph (4), for "meets the requirements in Article 80(2) of the Order of 1992" substitute " is suitable for occupation as an HMO in accordance with section 13 of the Act of 2016 ";

(b) in the opening words of paragraph (5), for "or does not meet those requirements" substitute " or is not suitable for such occupation ";

(c) in paragraph (5)(a), for "meet those requirements" substitute " suitable for such occupation ".

(6) For Article 60(5)(b) (applications to which that Article does not apply) substitute—

"(b) to comply with a requirement in a temporary exemption notice, a rectification notice or a hazard notice under the Act of 2016, to satisfy a statement of remedial work under section 53 of that Act, or to make the house suitable for occupation as an HMO in accordance with section 13 of that Act.".

(7) For Article 81(1)(b) (conditions of HMO grant) substitute—

"(b) that the house is not occupied by more than the number of persons who are authorised to occupy it under the HMO licence for the house (see section 7 of the Act of 2016).".

(8) In Article 110, in the definition of "flat in multiple occupation", for "has the same meaning as in Part IV of the Order of 1992" substitute " means a house in multiple occupation within the meaning of the Act of 2016 which is a flat ".

(9) In Article 112(3) (service of deferred action notice), for "the person managing the house" substitute " the managing agent (within the meaning of the Act of 2016) ".

Commencement Information

I6 Sch. 7 para. 6 in operation at 1.4.2019 by S.R. 2019/39, **art. 2** (with art. 3)

Fire and Rescue Services (Northern Ireland) Order 2006

7 In Article 52(1) (interpretation of Part 3), for "Article 75 of the Housing (Northern Ireland) Order 1992 (NI 15)" substitute " section 1 of the Houses in Multiple Occupation Act (Northern Ireland) 2016 ".

Commencement Information

I7 Sch. 7 para. 7 in operation at 1.4.2019 by S.R. 2019/39, **art. 2** (with art. 3)

Water and Sewerage Services (Northern Ireland) Order 2006

8 In paragraph 2(2) of Schedule 2 (premises not to be disconnected for non-payment of charges), for "Article 75 of the Housing (Northern Ireland) Order 1992 (NI 15)" substitute " section 1 of the Houses in Multiple Occupation Act (Northern Ireland) 2016 ".

Commencement Information

I8 Sch. 7 para. 8 in operation at 1.4.2019 by S.R. 2019/39, **art. 2** (with art. 3)

Status:
Point in time view as at 01/04/2019.

Changes to legislation:
There are currently no known outstanding effects for the Houses in Multiple Occupation Act (Northern Ireland) 2016, SCHEDULE 7.