

SCHEDULES

SCHEDULE 7

Consequential amendments

Housing (Northern Ireland) Order 2003

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 ”;

Changes to legislation: There are currently no known outstanding effects for the Houses in Multiple Occupation Act (Northern Ireland) 2016, Paragraph 6. (See end of Document for details)

- (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

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

Changes to legislation:

There are currently no known outstanding effects for the Houses in Multiple Occupation Act (Northern Ireland) 2016, Paragraph 6.