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STATUTORY RULES OF NORTHERN IRELAND

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**2003 No. 270 (C. 20)**

**HOUSING**

**The Housing (2003 Order) (Commencement  
No. 1) Order (Northern Ireland) 2003**

*Made* - - - - *13th May 2003*

The Department for Social Development, in exercise of the powers conferred on it by Article 1(3) of the Housing (Northern Ireland) Order 2003<sup>(1)</sup> and of every other power enabling it in that behalf, hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Housing (2003 Order) (Commencement No. 1) Order (Northern Ireland) 2003.

(2) In this Order “the 2003 Order” means the Housing (Northern Ireland) Order 2003.

**Appointed days**

2.—(1) The provisions of the 2003 Order specified in Schedule 1 shall come into operation on 1st June 2003.

(2) Article 121 of, and Schedule 1 to, the 2003 Order (Transfer of duty to keep register of rents) shall come into operation on 1st July 2003.

(3) For the purposes only of making Regulations, Rules and Orders the provisions of the 2003 Order specified in Schedule 2 shall come into operation on 1st September 2003 and for all other purposes shall come into operation on 1st November 2003.

(4) For the purposes only of making Regulations and Orders, and giving Directions and Guidance the provisions of the 2003 Order specified in Schedule 3 shall come into operation on 1st October 2003 and for all other purposes shall come into operation on 1st December 2003.

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(1) S.I.2003/412 (N.I. 2); See Article 2(2) for the definition of Department

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Sealed with the Official Seal of the Department for Social Development on 13th May 2003.

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*David M. Crothers*  
A Senior Officer of the  
Department for Social Development

SCHEDULE 1

Article 2(1)

THE PROVISIONS OF THE 2003 ORDER SPECIFIED IN THIS SCHEDULE SHALL COME INTO OPERATION ON 1ST JUNE 2003

| <i>Provisions</i>  | <i>Subject Matter of Provisions</i>  |
|--|--|
| Article 126  | Acquisition of Land by the Executive for amenity purposes                  |
| Article 127  | Termination of home insulation schemes                                     |
| Article 128  | Disposal of houses let by the Executive to secure tenants                  |
| Article 129  | Increase of penalty for obstruction of an authorised officer               |
| Article 130  | Membership of the Executive  |
| Article 132  | Tenant's improvements  |
| Article 133  | Right of secure tenants of the Executive to have repairs carried out       |
| Article 134(1) to (3)  | Tenancies which are not secure tenancies                                   |
| Article 138  | Emergency grants   |
| Article 139  | Realisation of value of Department's loans portfolio                       |
| Article 140  | Rent for housing accommodation provided by registered housing associations |
| Article 141  | Disposal of land by registered housing associations                        |
| Article 145  | Service of certain documents   |
| Article 149 and Schedule 5 in so far as they apply to –                                    | Repeals  |
| (i) Chapter II of Part IV and Article 88C of the Housing (Northern Ireland) Order 1981(2); |  |
| (ii) Article 39 of the Housing (Northern Ireland) Order 1986(3);                           |  |
| (iii) Article 104 of the Housing (Northern Ireland) Order 1992(4).                         |  |

(2) S.I. 1981/156 (N.I. 3); Article 88C was inserted by Article 92 of the Housing (Northern Ireland) Order 1992 (S.I. 1992/1725 (N.I. 15))

(3) S.I. 1986/1301 (N.I. 13)

(4) S.I. 1992/1725 (N.I. 15)

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## SCHEDULE 2

Article 2(3)

THE PROVISIONS OF THE 2003 ORDER SPECIFIED IN THIS SCHEDULE SHALL COME INTO OPERATION ON 1ST SEPTEMBER 2003 FOR THE PURPOSES ONLY OF MAKING REGULATIONS, RULES AND ORDERS AND ON 1ST NOVEMBER 2003 FOR ALL OTHER PURPOSES

| <i>Provisions</i>   | <i>Subject Matter of Provisions</i>                             |
|---|---|
| Article 3   | Members of a person's family                                    |
| Articles 4 & 5  | Introductory  |
| Articles 6 to 21  | Introductory Tenancies  |
| Articles 22 to 25   | Repossession, &C. of dwelling houses let under secure tenancies |
| Articles 26 & 27  | Injunctions against anti-social behaviour                       |
| Article 123   | Interpretation of Order of 1981                                 |
| Article 124   | Allocation of housing accommodation                             |
| Article 134(4)  | Qualifying shorthold tenancies                                  |
| Article 135   | Definition of "homelessness"                                    |
| Article 136   | Becoming homeless intentionally                                 |
| Article 137   | Eligibility for housing assistance                              |
| Article 147(1) in so far as it applies to the paragraphs in Schedule 4 specified below                                    | Minor and consequential amendments                              |
| Article 147(2)  | Power to make amendments or repeals                             |
| Article 148   | Orders and Regulations  |
| In Schedule 4 –   | Minor and consequential amendments                              |
| (i) paragraph 5;  |   |
| (ii) paragraph 6;   |   |
| (iii) paragraph 7;  |   |
| (iv) paragraph 8;   |   |
| (v) paragraph 9.  |   |
| Article 149 and Schedule 5 in so far as they apply to –<br>Article 29(1) of the Housing (Northern Ireland) Order 1983(5). | Repeals   |

## SCHEDULE 3

Article 2(4)

THE PROVISIONS OF THE 2003 ORDER SPECIFIED IN THIS SCHEDULE SHALL COME INTO OPERATION ON 1ST OCTOBER 2003 FOR THE PURPOSES ONLY

OF MAKING REGULATIONS AND ORDERS, AND GIVING DIRECTIONS AND GUIDANCE AND ON 1ST DECEMBER 2003 FOR ALL OTHER PURPOSES

| <i>Provisions</i>   | <i>Subject Matter of Provisions</i>                        |
|---|--|
| Articles 28 to 120  | Grants &c. for renewal of private sector housing           |
| Article 125   | Caravan sites for members of the Irish Traveller community |
| Article 142   | Repairs grants   |
| Article 143   | Amendment of definition of “multiple occupation”           |
| Article 147 (1) in so far as it applies to the paragraphs in Schedule 4 specified below                                   | Minor and consequential amendments                         |
| Article 149 in so far as it applies to the provisions in Schedule 5 specified below                                       | Repeals  |
| Schedule 2  | Transfer to the Executive of Travellers' caravan sites     |
| In Schedule 4 –   | Minor and consequential amendments                         |
| (i) paragraph 1;  |  |
| (ii) paragraph 2;   |  |
| (iii) paragraph 3;  |  |
| (iv) paragraph 4;   |  |
| (v) paragraph 10;   |  |
| (vi) paragraph 11;  |  |
| (vii) paragraph 12.   |  |
| In Schedule 5 –   | Repeals  |
| (i) Articles 2(4) and (5) and 58(1)(a) of the Housing (Northern Ireland) Order 1981;                                      |  |
| (ii) Part IV of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985(6);                         |  |
| (iii) Part III Chapter I, Article 73(5) of and paragraph 6(a) of Schedule 6 to the Housing (Northern Ireland) Order 1992; |  |
| (iv) Paragraph 187 of Schedule 9 to the Children (Northern Ireland) Order 1995(7);  |  |
| (v) The Local Government (Amendment) (Northern Ireland) Order 1998(8).  |  |

(6) S.I. 1985/1208 (N.I. 15)

(7) S.I. 1995/755 (N.I. 2)

(8) S.I. 1998/2796 (N.I. 19)

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## EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order provides for the coming into operation of provisions of the Housing (Northern Ireland) Order 2003 (the 2003 Order) as follows –

1st June 2003 for the provisions set out in Schedule 1 which primarily either give statutory effect to existing administrative arrangements or make minor changes to existing legislative provisions;

1st July 2003 for Article 121 of, and Schedule 1 to, the 2003 Order which transfers the functions of the Department relating to the maintenance of the rent register to the Housing Executive;

1st September 2003 for the provisions set out in Schedule 2 (which relate to introductory tenancies, repossession, injunctions against anti-social behaviour, homelessness, and qualifying shorthold tenancies) for the purposes only of making Regulations, Rules and Orders and 1st November 2003 for all other purposes;

1st October 2003 for the provisions set out in Schedule 3 (which provide for the provision of grant-aid to the private sector in respect of unfit houses or those which need adaptation to suit the needs of the disabled occupant, group repair and for the Housing Executive to take responsibility for the provision of caravan sites for Irish Travellers) for the purposes only of making Regulations and Orders and giving Directions and Guidance and 1st December 2003 for all other purposes.