
DRAFT STATUTORY INSTRUMENTS

1998 No.

**The Fair Employment and Treatment
(Northern Ireland) Order 1998**

PART IV

DISCRIMINATION IN OTHER FIELDS

Goods, facilities, services and premises

Exception from Articles 28(1) and 29; small dwellings

- 30.**—(1) Where the conditions mentioned in paragraph (2) are satisfied—
- (a) Article 28(1) does not apply to the provision by a person of accommodation in any premises;
 - (b) Article 29(1) does not apply to the disposal by a person of any premises;
 - (c) Article 29(4) does not apply to the withholding of any consent or licence.
- (2) The conditions are that—
- (a) the relevant occupier resides, and intends to continue to reside, on the premises;
 - (b) the relevant occupier shares accommodation on the premises with persons who reside on the premises and are not members of his household;
 - (c) the shared accommodation is not storage accommodation or a means of access; and
 - (d) the premises are small premises.
- (3) For the purposes of this Article, premises are “small premises” if they fall within paragraph (4) or (5).
- (4) Premises fall within this paragraph if—
- (a) only the relevant occupier and members of his household reside in the accommodation occupied by him;
 - (b) the premises comprise, in addition to the accommodation occupied by the relevant occupier, residential accommodation for at least one other household;
 - (c) the residential accommodation for each other household is let, or available for letting, on a separate tenancy or similar agreement; and
 - (d) there are not normally more than two such other households.
- (5) Premises fall within this paragraph if there is not normally residential accommodation on the premises for more than 6 persons in addition to the relevant occupier and any members of his household.
- (6) For the purposes of this Article “the relevant occupier” means—
- (a) in a case falling within Article 28(1), the person providing the accommodation or a near relative of his;

- (b) in a case falling within Article 29(1), the person with power to dispose of the premises, or a near relative of his;
 - (c) in a case falling within Article 29(4), the person whose licence or consent is required for the disposal of the premises, or a near relative of his.
- (7) For the purposes of this Article “near relative” means a person’s spouse, parent, child, grandparent, grandchild, or brother or sister (whether of full or half blood or by affinity).