



Support for Mortgage Interest etc (Security for Loans) Act (Northern Ireland) 2022

CHAPTER 28

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An Act to provide for loans under Article 13 of the Welfare Reform and Work (Northern Ireland) Order 2016 to be charged on land and for the charges to be registrable in the Statutory Charges Register. [6th June 2022]

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

Security for loans for mortgage interest etc

1.—(1) In Article 13 of the Welfare Reform and Work (Northern Ireland) Order 2016 (loans in respect of liability to make owner-occupier payments)—

(a) in paragraph (7), after sub-paragraph (b) (regulations may require a loan to be secured by a mortgage or charge over land) insert—

“(c) charge a legal, or equitable, estate or other interest in land with either or both of the following—

(i) repayment of a loan under the regulations;

(ii) interest charged in respect of such a loan.”, and

(b) after paragraph (8) insert—

“(8A) A charge created under paragraph (7)(c) is enforceable in all respects as if it were a valid mortgage by deed created in favour of the Department by the person on whose estate the charge has been created (with, where necessary, any authorisation or consent required by law) and the Department may exercise the powers conferred by sections 19, 21 and 22 of the Conveyancing Act 1881 on mortgagees by deed accordingly.

(8B) A charge created under paragraph (7)(c) may be in respect of—

(a) amounts lent, or

(b) interest accruing,

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at the time when, or at times after or before, the charge is created (including times before the regulations creating the charge come into operation, and times before the passing of the Support for Mortgage Interest etc (Security for Loans) Act (Northern Ireland) 2022).”.

(2) In Schedule 11 to the Land Registration Act (Northern Ireland) 1970 (matters registrable in the Statutory Charges Register), after paragraph 51 insert—

“51A. A charge created under Article 13(7)(c) of the Welfare Reform and Work (Northern Ireland) Order 2016 (regulations charging land as security for loans for mortgage interest etc).”.

Commencement and short title

2.—(1) This Act comes into force on the day after the day on which it receives Royal Assent.

(2) This Act may be cited as the Support for Mortgage Interest etc (Security for Loans) Act (Northern Ireland) 2022.

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