EXPLANATORY NOTE

(This note is not part of the Order but is intended to indicate its general purport.)

This Order prescribes 6 per centum per annum as the rate of interest on compensation moneys payable in respect of land which has been compulsorily acquired under the enactments mentioned in the Order.

1963. No. 9 **[C]**

HOUSING

Form of Orders and Notices

REGULATIONS, DATED 12TH FEBRUARY, 1963, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER THE PLANNING AND HOUSING ACT (NORTHERN IRELAND), 1931, AND THE HOUSING (MISCELLANEOUS PROVISIONS) AND RENT RESTRICTION LAW (AMENDMENT) ACT (NORTHERN IRELAND), 1956.

The Ministry of Health and Local Government, in exercise of the powers conferred on it by section 44 of the Planning and Housing Act (Northern Ireland), 1931(**a**), and section 62 of the Housing (Miscellaneous Provisions) and Rent Restriction Law (Amendment) Act (Northern Ireland), 1956(**b**), and of every other power it thereunto enabling, hereby makes the following Regulations:

Citation and Commencement

1. These Regulations may be cited as the Housing (Form of Orders and Notices) Regulations (Northern Ireland), 1963, and shall come into operation on the 1st day of March, 1963.

Forms to be used

2. The forms set out in the second schedule (of which a list is set out in the first schedule) shall be the forms to be used by local authorities in the exercise of their functions under Part II of the Planning and Housing Act (Northern Ireland), 1931, and Section 2 of the Housing (Miscellaneous Provisions) and Rent Restriction Law (Amendment) Act (Northern Ireland), 1956.

Revocation

3. The Housing (Form of Orders and Notices) Regulations (Northern Ireland), 1931(**c**), are hereby revoked.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this 12th day of February, nineteen hundred and sixty-three.

(L.S.) *Wm. J. Morgan,*
Minister of Health and Local Government.

(**a**) 21 & 22 Geo. 5. c. 12 (N.I.).
(**b**) 1956. c. 10.
(**c**) S.R. & O. (N.I.) 1931, No. 125.

FIRST SCHEDULE

List of Forms

Form No.

1. Notice requiring execution of works.
2. Order declaring expenses of execution of works to be payable by instalments.
3. Clearance Order.
4. Notice to be published of making of Clearance Order.
5. Notice to be served as to the making of a Clearance Order.
6. Notice to be published of Clearance Order having been confirmed by Ministry.
7. Notice to be served of Clearance Order having been confirmed by Ministry.
8. Notice to Occupier to Quit Building after Clearance Order has become operative.
9. Notice of Time and Place for consideration of condition of house liable to be made subject to Demolition or Closing Order.
10. Order for Demolition of a House.
11. Notice to be served of making a Demolition Order.
12. Notice to Occupier to Quit House after Demolition Order has become operative.
13. Closing Order made in lieu of Demolition Order.
14. Notice to be served of making a Closing Order in lieu of a Demolition Order.
15. Notice of Time and Place for consideration of matters relating to the making of a Closing Order for part of a building.
16. Closing Order for part of a building.
17. Notice to be served of making a Closing Order for part of a building.
18. Order determining Closing Order for part of a building.

SECOND SCHEDULE

FORM NO. 1

Section 30

Notice requiring Execution of Works

THE HOUSING ACTS (NORTHERN IRELAND), 1890 TO 1961

(1).....:.Council

To(2) of ,
(3)being the person having control of the house known as

Take Notice that the(1) Council are satisfied that the above-mentioned house is unfit for human habitation but are not satisfied that it is not capable of being rendered fit at a reasonable expense; and that in pursuance of section 30(1) of the Planning and Housing Act (Northern Ireland), 1931, the Council require you within a period of(4) days ending on the 19 , to execute the following works, which will in the opinion of the Council render the house fit for human habitation, namely,(5)

Dated this day of , 19 .

.....
Town Clerk/Clerk

(1) Insert name of Council.
(2) Insert name and address.
(3) The Council may also serve any other person having an interest in the house.
(4) At least 21 days.
(5) Insert details of the works.

NOTES

1. The local authority may, if they think fit, accept from the person on whom this Notice has been served an undertaking that the house shall not be used for human habitation until they are satisfied that every part of the house has been rendered fit for that purpose.

2. A person aggrieved by this notice may appeal against it to the County Court within 21 days after the service of the notice. If the notice is not complied with, and an undertaking that the house shall not be used for human habitation has not been accepted, then after the expiration of the time specified in the notice, or, if an appeal has been made against the notice and upon that appeal the notice has been confirmed with or without variation, after the expiration of twenty-one days from the final determination of the appeal, or of such longer period as the court in determining the appeal may fix, the local authority may themselves do the work required to be done by the notice, or by the notice as varied by the court, as the case may be.

3. Any expenses incurred by the local authority, together with interest, at a rate not exceeding five pounds per cent. per annum, from the date when a demand for the expenses is served until payment, may be recovered by them as a debt from the person having control of the dwelling-house, or, if he receives the rent of the house as agent or trustee for some other person, then either from him or from that other person, or in part from him and as to the remainder from that other person:

Provided that if the person having control of the dwelling-house proves that he is receiving the rent merely as agent or trustee for some other person and has not, and since the date of the service on him of the demand has not had, in his hands on behalf of that other person sufficient money to discharge the whole demand of the authority, his liability shall be limited to the total amount of the money which he has or has had, in his hands as aforesaid. An appeal against this demand may be made to the county court within 21 days after the date of the service of the demand.

4. The local authority may by order declare any such expenses to be payable by weekly or other instalments within a period not exceeding thirty years with interest at a rate not exceeding five pounds per cent. per annum, from the date of the service of the demand until the whole amount is paid. Any such instalments and interest, or any part thereof, may be recovered as a debt from any owner or occupier of the dwelling-house, and, if recovered from an occupier, may be deducted by him from the rent of the house. An appeal against such an order may be made to the county court within 21 days after the date of service of the order.

FORM NO. 2

Order declaring Expenses of Execution of Works to be payable by instalments

Section 31(5)

THE HOUSING ACTS (NORTHERN IRELAND), 1890 TO 1961

(1).....Council

To(2) of being the(3) of the house known as

Whereas by a notice dated the 19 , the(1) Council in pursuance of section 30 of the Planning and Housing Act (Northern Ireland), 1931, have required the person having control of the above-mentioned house to execute within the time specified in the notice certain specified works which in the Council's opinion would render the house fit for human habitation;

And Whereas the said notice has not been complied with and the Council in pursuance of section 31 of the said Act have done the work required to be done and in so doing have incurred expenses amounting to the sum of £ ;

Now Therefore the Council hereby declare that the said expenses amounting to the sum of £ shall be payable by(4) instalments of £ within a period of(5) years with interest at the rate of £(6) per cent. per annum, until the whole amount is paid.

Sealed with the Common Seal of the Council this day of 19 .

(Seal) .....

(1) Insert name of Council.
(2) Insert name and address.
(3) Insert owner or occupier as the case may be.
(4) Insert weekly or monthly, etc.
(5) Not exceeding 30.
(6) Not exceeding 5.

NOTES

1. Any sum due under this order may be recovered as a debt and, if recovered from an occupier, may be deducted by him from the rent of the house.

2. A person aggrieved by the order may appeal against it to the county court within 21 days after the date of service of the order.

FORM NO. 3

Clearance Order

Section 23

THE HOUSING ACTS (NORTHERN IRELAND), 1890 TO 1961

(1).....Council

Whereas, pursuant to Section 22 of the Planning and Housing Act (Northern Ireland), 1931, the(1) Council by a resolution passed on the 19 , have declared a certain area which they had duly caused to be defined on a map to be a clearance area;

And Whereas by a resolution passed on the 19 , the Council determined to order the demolition of the buildings hereinafter referred to which are situate within the said clearance area;

Now Therefore the Council in pursuance of their powers under Section 23 of the Planning and Housing Act (Northern Ireland), 1931, hereby order as follows:—

1. The buildings specified in the Schedule and delineated and coloured pink on the annexed map marked "Map referred to in the(2) Clearance Order, 19 ", and sealed with the Common Seal of the Council shall be demolished;

2. For the purposes of demolition each such building shall be vacated on or before the expiration of the period specified in the sixth column of the schedule opposite the number and description of that building in columns 1 and 2.

3. This Order may be cited as the(2) Clearance Order, 19 .

SCHEDULE

Reference Numbers on Map annexed (1)	*Description and situation of buildings* (2)	*Owners or reputed Owners* (3)	*Lessees or reputed Lessees* (4)	*Occupiers (except tenants for a month or less)* (5)	*Period from the date when the Order becomes operative within which the building is to be vacated* (6)

Sealed with the Common Seal of the Council this day of 19 .

(Seal) .....

(1) Insert name of Council.

(2) Insert title of order.