



Housing Act 1985

1985 CHAPTER 68

PART IX

SLUM CLEARANCE

Supplementary provisions

319 Powers of entry.

- (1) A person authorised by the local housing authority or the Secretary of State may at any reasonable time, on giving [^{F1}seven days] notice of his intention to the occupier, and to the owner if the owner is known, enter premises—
 - (a) for the purpose of survey and examination where it appears to the authority or the Secretary of State that survey or examination is necessary in order to determine whether any powers under this Part should be exercised in respect of the premises; or
 - (b) for the purpose of survey and examination where a demolition or closing order, or an obstructive building order, has been made in respect of the premises; or
 - (c) for the purpose of survey or valuation where the authority are authorised by this Part to purchase the premises compulsorily.
- (2) An authorisation for the purposes of this section shall be in writing stating the particular purpose or purposes for which the entry is authorised [^{F2}and shall, if so required, be produced for inspection by the occupier or anyone acting on his behalf].

Textual Amendments

F1 Words substituted by [Local Government and Housing Act 1989 \(c. 42, SIF 61\)](#), s. 165(1)(b), [Sch. 9 Pt. II para. 39\(1\)](#)

F2 Words inserted by [Local Government and Housing Act 1989 \(c. 42, SIF 61\)](#), s. 165(1)(b), [Sch. 9 Pt. II para. 39\(2\)](#)

Status: Point in time view as at 03/07/2000.

Changes to legislation: Housing Act 1985, Cross Heading: Supplementary provisions is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

320 Penalty for obstruction.

- (1) It is a summary offence [^{F3}intentionally] to obstruct an officer of the local housing authority or of the Secretary of State, or any person authorised to enter premises in pursuance of this Part, in the performance of anything which he is by this Part required or authorised to do.
- (2) A person committing such an offence is liable on conviction to a fine not exceeding [^{F4}level 3] on the standard scale.

Textual Amendments

F3 Word inserted by [Local Government and Housing Act 1989 \(c. 42, SIF 61\), s. 165\(1\)\(b\), Sch. 9 Pt. II para. 40\(1\)](#)

F4 Words substituted by [Local Government and Housing Act 1989 \(c. 42, SIF 61\), s. 165\(1\)\(b\), Sch. 9 Pt. II para. 40\(2\)](#)

321 ^{F5}

Textual Amendments

F5 [S. 321](#) repealed by [Local Government and Housing Act 1989 \(c. 42, SIF 61\), ss. 165\(1\)\(b\), 194\(4\), Sch. 9 Pt. II para. 41, Sch. 12 Pt. II](#)

322 Minor definitions.

In this Part—

[^{F6}“dwelling-house” and “flat”, except in the expression “flat in multiple occupation”, shall be construed in accordance with subsection (2) and “the building”, in relation to a flat, means the building containing the flat;]

[^{F6}“house in multiple occupation” and “flat in multiple occupation” have the same meaning as in Part XI]

“owner”, in relation to premises—

- (a) means a person (other than a mortgagee not in possession) who is for the time being entitled to dispose of the fee simple in the premises, whether in possession or in reversion, and
- (b) includes also a person holding or entitled to the rents and profits of the premises under a lease of which the unexpired term exceeds three years;

..... ^{F7}

[^{F8}“premises”, in relation to a demolition or closing order, means the dwelling-house, house in multiple occupation, building or part of a building in respect of which the closing order or, as the case may be, demolition order is made.]

[^{F9}(2) For the purposes of this Part, “dwelling-house” includes any yard, garden, outhouses and appurtenances belonging to it or usually enjoyed with it and section 183 shall have effect to determine whether a dwelling-house is a flat.

(3) Except where the context otherwise requires, any reference in this Part (other than this section) to a flat is a reference to a dwelling-house which is a flat or to a flat in multiple occupation.]

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Textual Amendments

- F6** Definitions substituted by [Local Government and Housing Act 1989 \(c. 42, SIF 61\)](#), s. 165(1)(b), [Sch. 9 Pt. II para. 42\(a\)](#)
- F7** Definition repealed by [Local Government and Housing Act 1989 \(c. 42, SIF 61\)](#), s. 165(1)(b), [Sch. 9 Pt. II para. 42\(b\)](#), [Sch. 12 Pt. II](#)
- F8** Definition added by [Local Government and Housing Act 1989 \(c. 42, SIF 61\)](#), s. 165(1)(b), [Sch. 9 Pt. II para. 42\(c\)](#)
- F9** [S. 322\(2\)\(3\)](#) added by [Local Government and Housing Act 1989 \(c. 42, SIF 61\)](#), s. 165(1)(b), [Sch. 9 Pt. II para. 42\(c\)](#)

323 Index of defined expressions: Part IX.

The following Table shows provisions defining or otherwise explaining expressions used in this Part (other than provisions defining or explaining an expression used in the same section or paragraph):—

[^{F10} assured agricultural occupancy]	[^{F10} section 622]
[^{F10} assured tenancy]	[^{F10} section 622]
clearance area	section 289(1)
closing order	section 267(2)
demolition order	section 267(1)
district (of a local housing authority)	section 2(1)
[^{F11} dwelling house]	[^{F11} sections 266 and 322]
fit (or unfit) for human habitation	[^{F12} section 604]
^{F13}	^{F13}
[^{F11} flat]	[^{F11} section 322]
^{F13}	^{F13}
^{F13}	^{F13}
[^{F11} house in multiple occupation]	[^{F11} section 322]
^{F13}	^{F13}
lease, lessee and lessor	section 621
listed building	section 303
local housing authority	section 1, 2(2)
obstructive building	section 283
obstructive building order	section 284
owner (of premises)	section 322

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<p>· · · F13</p> <p>[^{F11}premises] prescribed reasonable expense rehabilitation order the Rent Acts</p> <p>· · · F13</p> <p>· · · F13</p> <p>standard scale (in reference to the maximum fine on summary conviction) underground room unfit (or fit) for human habitation</p> <p>· · · F13</p>	<p>· · · F13</p> <p>[^{F11}section 322] section 614 section 321 Schedule 11 section 622</p> <p>· · · F13</p> <p>· · · F13</p> <p>section 622 section 280 [^{F12}section 604]</p> <p>· · · F13</p>
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Textual Amendments

- F10** Entries inserted by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 140(1), **Sch. 17 Pt. I para. 49**
- F11** Entries inserted by [Local Government and Housing Act 1989 \(c. 42, SIF 61\)](#), s. 165(1)(b), **Sch. 9 Pt. II para. 43(c)**
- F12** Words substituted by [Local Government and Housing Act 1989 \(c. 42, SIF 61\)](#), s. 165(1)(b), **Sch. 9 Pt. II para. 43(b)**
- F13** Entries repealed by [Local Government and Housing Act 1989 \(c. 42, SIF 61\)](#), ss. 165(1)(b), 194(4), **Sch. 9 Pt. II para. 43(a)**, **Sch. 12 Pt. II**

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