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## STATUTORY INSTRUMENTS

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# 1981 No. 156

## Housing (Northern Ireland) Order 1981

### PART III

#### DEVELOPMENT FUNCTIONS OF THE EXECUTIVE

##### CHAPTER V

##### UNOCCUPIED PREMISES

#### **Power to secure or demolish unoccupied premises**

**63**<sup>F1</sup>.—(1) Where the Executive is satisfied that action is necessary to prevent damage to, or otherwise to protect, housing accommodation, it may serve upon the owner of any unoccupied premises (in this Article referred to as “the owner”) a notice requiring him within such time, not being less than 7 days, as the Executive may specify in the notice—

- (a) to execute such works to the unoccupied premises including works to secure those premises, or
- (b) to take such steps for demolishing the unoccupied premises, or any part thereof, and removing any rubbish or other material resulting from or exposed by the demolition,

as the Executive may consider necessary.

(2) Without prejudice to section 24(2) of the Interpretation Act (Northern Ireland) 1954, the Executive shall affix to the premises a copy of the notice served under paragraph (1).

(3) Where the Executive—

- (a) is unable to establish the identity or whereabouts of the owner of unoccupied premises, and
- (b) has affixed a notice to the premises requiring the owner to take steps in accordance with paragraph (1)(b),

the Executive shall publish a copy of the notice in one or more than one newspaper circulating in the locality.

(4) Where a notice under paragraph (1) requires the owner of unoccupied premises to demolish those premises, or any part thereof, the owner may, within the period specified in the notice, make representations to the Department, and the Department shall notify the Executive or, where paragraph (10) applies, the district council which is acting as the agent of the Executive, that the notice shall not have effect while the Department is considering those representations.

(5) The Department, after considering the representations which have been made to it, shall inform the owner—

- (a) that the notice served under paragraph (1) shall have effect from a date specified by the Department, or
- (b) that the notice shall not have effect,

and the Department shall inform the Executive of its decision accordingly.

**Status:** Point in time view as at 31/07/2010.

**Changes to legislation:** Housing (Northern Ireland) Order 1981, Section 63 is up to date with all changes known to be in force on or before 05 August 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)

(6) Where an owner so requests in writing, the Executive may carry out on his behalf the works specified in a notice under paragraph (1) and may charge upon the owner the costs thereof, and such costs may be recovered summarily as a civil debt.

(7) A notice under paragraph (1) served upon an owner of unoccupied premises shall not have effect where the owner undertakes in writing within the time specified in the notice, to carry out within a period acceptable to the Executive such works as are necessary to render the unoccupied premises suitable for use and to prevent damage to, or to otherwise protect housing accommodation.

(8) Where an owner of unoccupied premises—

- (a) fails to act within the time specified in accordance with a notice under paragraph (1), or
- (b) defaults upon an undertaking given under paragraph (7),

the Executive may carry out the works specified in the notice and such works shall be deemed to have been carried out in response to a request by the owner under paragraph (6).

(9) Where it appears to the Executive that there is an urgent necessity to do so, it may, with the consent of the Department, carry out upon unoccupied premises such works as might be specified in a notice under paragraph (1) without service of such a notice upon the owner, but shall immediately inform the owner (if known) of the works which it has carried out upon the premises.

(10) The Executive may make and carry into effect an agreement with any district council whereby the council may act as agent for the Executive in the exercise of the functions conferred upon the Executive by this Article and the Executive shall send a copy of any such agreement to the Department.

**F1** continued in force by [1992 NI 15](#)

**Status:**

Point in time view as at 31/07/2010.

**Changes to legislation:**

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