

## EXPLANATORY NOTE

*(This note is not part of the Regulations but is intended to indicate their general purport.)*

These Regulations prescribe the form of application for standard grant and the basic requirements as to materials, construction and workmanship in the execution of works necessary to the provision of standard amenities.

1963. No. 186

[C]

## HOUSING

## Form of Declaration of Unfitness Order and Notice

REGULATIONS, DATED 16TH OCTOBER, 1963, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER THE HOUSING ACT (NORTHERN IRELAND) 1963.

The Ministry of Health and Local Government, in exercise of the powers conferred upon it by Sections 29 and 38 of the Housing Act (Northern Ireland) 1963(a) (in these Regulations referred to as "the Act") and of every other power enabling it in that behalf, hereby makes the following Regulations:

*Citation*

1. These regulations may be cited as the Housing (Form of Declaration of Unfitness Order and Notice) Regulations (Northern Ireland) 1963.

*Forms to be used*

2. An Order made by a local authority under Section 29(1) and notice of the effect of that Order served under Section 29(2) of the Act shall be in the forms A and B respectively set out in the Schedule.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this 16th day of October, 1963.

(L.S.)

*Wm. J. Morgan,*

Minister of Health and Local Government.

---

(a) 1963. c. 26 (N.I.).

SCHEDULE

FORM A

Declaration of Unfitness Order

HOUSING ACTS (NORTHERN IRELAND) 1890-1963

(1)..... Council

(2).....Improvement Scheme/Re-development Area

Whereas the (1) Council [have acquired] [propose to acquire] compulsorily for the purposes of their functions under Part I of the Housing of the Working Classes Act 1890, or Part I of the Housing (Miscellaneous Provisions) and Rent Restriction Law (Amendment) Act (Northern Ireland) 1956, land which comprises the house/s the address and location of which are indicated on the Schedule and on the annexed map.

Now therefore the Council, being satisfied that the said house/s is/are

(a) unfit for human habitation; or

(b) by reason of bad arrangement or the narrowness of the streets, dangerous or injurious to the health of the inhabitants of the area,

hereby declare, in pursuance of their powers under Section 29 of the Housing Act (Northern Ireland) 1963, that Section 6 of the Housing (Ireland) Act 1919 applies to such house/s.

SCHEDULE

Address of House	Reference No. on map annexed

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

(Seal) .....

(1) Insert name of Council.

(2) Insert title of Scheme or Area.

## FORM B

**Notice to be served as to the making of a  
Declaration of Unfitness Order**

HOUSING ACTS (NORTHERN IRELAND) 1890-1963

To (1)

of

Take Notice that the (2) \_\_\_\_\_ Council in pursuance of their powers under Section 29 of the Housing Act (Northern Ireland) 1963 on (3) \_\_\_\_\_ 19 \_\_\_\_\_ made an Order declaring that the house(s) at (4) \_\_\_\_\_ in which you have an estate as (5) [is a house] [are houses] to which Section 6 of the Housing (Ireland) Act 1919 applies, and that the said Order is about to be submitted to the Ministry of Health and Local Government for confirmation.

A copy of the Order and of the map annexed thereto may be seen at all reasonable hours at (6) \_\_\_\_\_

Any objection to the Order stating the grounds of the objection must be made in writing to the Secretary, Ministry of Health and Local Government, Stormont, Belfast, 4, before the (7) \_\_\_\_\_ 19 \_\_\_\_\_

Dated this

19

.....  
Town Clerk/Clerk

- (1) Insert name and address.
- (2) Insert name of Council.
- (3) Insert date of Order.
- (4) Insert address of house.
- (5) Insert owner, lessee, mortgagee as the case may be.
- (6) Insert address of Council offices.
- (7) Insert date not less than one month from date of service.

## NOTES

1. If no objection is duly made, or if all objections are withdrawn, the Ministry may confirm the Order with or without amendment; but in any other case the Ministry is required, if either an objector or the local authority so desire, to afford an opportunity to both parties to appear before, and be heard by, a person appointed by the Ministry.

2. If the Order is confirmed any compensation payable as a result of compulsory acquisition by the local authority must be determined in accordance with Section 6 of the Housing (Ireland) Act 1919.

3. Compensation in accordance with Section 6 of the Housing (Ireland) Act 1919 is payable if the house is found to be—

- (a) unfit for human habitation (as determined in accordance with Section 40 of the Planning and Housing Act (Northern Ireland) 1931, as amended); or
- (b) by reason of bad arrangement or the narrowness of the streets, dangerous or injurious to the health of the inhabitants of the area.

*Payments which may be made under the Housing Act (Northern Ireland) 1961,  
in cases where compensation is assessed in accordance with Section 6  
of the Housing (Ireland) Act 1919*

4. A payment may be made in respect of a house which has been well-maintained. Any person may make representations to this effect to the Ministry of Health and Local Government within three months of the date of making of the vesting order for compulsory acquisition.

5. A payment may be made in respect of a house used for business purposes provided that a business was carried on there either during the period 30th October, 1958, to 31st December, 1958, or at all times during the ten years preceding the date of making of the vesting order.

6. A payment may be made to the owner-occupier of a house purchased during the period—1st January, 1944, to 31st December, 1958—and occupied at some time between 30th October, 1958, and 31st December, 1958, by the purchaser or a member of his family and which has been compulsorily acquired before 30th October, 1968.

7. Paragraphs 4 to 6 above merely outline the circumstances in which a payment may be made. Further information may be obtained at the offices of the Council.

## EXPLANATORY NOTE

*(This note is not part of the Regulations but is intended to indicate their general purport.)*

These Regulations prescribe the form of a Declaration of Unfitness Order which may be made by a local authority specifying houses in a re-development area in respect of which compensation in accordance with Section 6 of the Housing (Ireland) Act 1919 would, if the Order be confirmed, be payable.

The Regulations also prescribe the form of Notice to be served on interested parties.

1963. No. 187

[C]

## COUNTY COURTS

## Appeals under Fire Services Acts as to Fire Escapes

RULES, DATED 16TH OCTOBER, 1963, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 146 OF THE COUNTY COURTS ACT (NORTHERN IRELAND) 1959.

I, the Right Honourable William Craig, Minister of Home Affairs, by virtue of the power vested in me by Section 146 of the County Courts Act (Northern Ireland) 1959(a), on the recommendation of the County Court Rules Committee and after consultation with the Lord Chief Justice do hereby make the following Rules:—

*Citation*

1. These Rules may be cited as the Local Government Act (Northern Ireland) 1934 County Court (Amendment) Rules 1963.

*Revocation*

2. In the Local Government (County Court) Rules (Northern Ireland) 1935(b), references to Section 29(3) of the Local Government Act (Northern Ireland) 1934(c) are hereby revoked.

Dated this 16th day of October, 1963.

*Wm. Craig,*  
Minister of Home Affairs.

## EXPLANATORY NOTE

*(This Note is not part of the Rules but is intended to indicate their general purport.)*

The effect of these Rules is to enable appeals under the Fire Services Acts (Northern Ireland), in relation to the provision of fire escapes and like equipment, to be dealt with in accordance with Order 36A of the County Court (Ireland) Orders 1890 (S.R. & O. (N.I.) 1958, No. 73).

(a) 1959. c. 25.

(b) S.R. & O. (N.I.) 1935, No. 111.

(c) 24 & 25 Geo. 5, c. 22 (N.I.).