

1965. No. 252

[C]

HOUSES IN MULTIPLE OCCUPATION—PRESCRIBED FORMS

REGULATIONS, DATED 30TH NOVEMBER, 1965, MADE BY THE MINISTRY OF DEVELOPMENT UNDER THE HOUSING ACT (NORTHERN IRELAND) 1963.

The Ministry of Development, in exercise of the powers conferred on it by Sections 19, 21 and 38 of the Housing Act (Northern Ireland) 1963(a) (hereinafter called "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 Houses in Multiple Occupation (Prescribed Forms) Regulations (Northern Ireland) 1965.

Forms to be used

2. The forms set out in the Schedule hereto shall be the forms to be used for the purposes of Sections 19 and 21 of the Act.

Sealed with the Official Seal of the Ministry of Development for Northern Ireland this 30th day of November, 1965.

(L.S.)

Wm. Craig,
Minister of Development.

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

SCHEDULE

FORM A

Section 19

HOUSING ACT (NORTHERN IRELAND) 1963

Notice of Intention to make an Order applying Management Regulations to Premises in Multiple Occupation

*Name and address of owner. To be omitted from copy of notice posted in the premises.

†Address of premises.

‡Insert date not less than 21 days after service and posting of this notice in the premises.

To* _____ of _____
 Notice is hereby given that:—

Whereas it appears to the _____ Council (hereinafter called "the Council") that _____ †, being a house which, or a part of which, is let in lodgings or which is occupied by members of more than one family, is in an unsatisfactory state in consequence of failure to maintain proper standards of management and, accordingly, that it is necessary that regulations made under section 20 of the Housing Act (Northern Ireland) 1963 should apply thereto;

Therefore the Council propose after the _____ day of _____ 19 ‡ to make an order under section 19 of the said Act directing that such regulations shall apply to the said house.

Any representation by an owner or lessee of the premises with respect to the Council's proposal to make such order, submitted by the said _____ day of _____ 19 ‡ will be taken into consideration. Representations should be in writing and addressed to:—

Dated this _____ day of _____ 19 _____

Signed _____

Clerk of the Council.

NOTES

The regulations which shall apply to the premises if the proposed order is made are the Housing (Management of Houses in Multiple Occupation) Regulations (Northern Ireland) 1965 (S.R. & O. (N.I.) 1965, No. 251). Printed copies of the regulations may be purchased directly from H.M. Stationery Office or through any bookseller, or may be inspected at the offices of the Council.

Under the regulations duties of management are imposed on "the manager", i.e., the owner or lessee of the premises who is receiving the rents from tenants of parts of the premises or from lodgers, and his agent or trustee (if any) through whom he receives the rents. These duties are, broadly, to ensure the good order, repair and (as appropriate) cleanliness of the following:—

- means of water supply and drainage;
- lighting and heating installations;
- rooms, and installations for sanitation and cooking, in common use;
- other parts of the premises in common use, e.g., halls, staircases and passageways;
- windows and other means of ventilation;
- means of escape from fire;
- common outbuildings, yards, gardens, etc.

The manager is also given certain responsibilities as respects the condition of rooms let to tenants or lodgers as living accommodation, the disposal of refuse and litter, and the taking of reasonable precautions to protect tenants and lodgers from dangers resulting from structural conditions in the premises.

By virtue of section 20(4) of the Act, offenders against regulations are liable to a fine and, on a second or subsequent offence, to imprisonment.

For the purposes of these provisions the term "lessee" includes (by virtue of the regulations) a tenant, sub-tenant, sub-lessee and a statutory tenant under the Rent Acts.

FORM B

Section 19

HOUSING ACT (NORTHERN IRELAND) 1963

Order applying Management Regulations to Premises in Multiple Occupation

*Insert address
of premises.

Whereas it appears to the Council
(hereinafter called "the Council") that
being a house which, or part of which, is let in lodgings or
which is occupied by members of more than one family, is in
an unsatisfactory state in consequence of failure to maintain
proper standards of management and, accordingly, that it is
necessary that regulations made under section 20 of the Housing
Act (Northern Ireland) 1963 should apply thereto;

Now Therefore the Council in pursuance of section 19(1)
of the said Act do by this order direct that the Housing
(Management of Houses in Multiple Occupation) Regulations
1965 shall apply to the said house.

The common seal of the Council was
hereunto affixed this day of 19
in the presence of

NOTES

This order comes into operation on the date on which it is made. A person on whom a copy of the order is served may, within 21 days from that date, appeal against it to a court of summary jurisdiction on the ground that the making of the order was unnecessary. If the court allows the appeal it will revoke the order, but without prejudice to its operation prior to the revocation and without prejudice to the making of a further order by the Council.

A person who has an estate in the house may apply to the Council for revocation of the order. If the Council refuse or fail to deal with the application, the applicant may appeal to a court of summary jurisdiction, and the court may revoke the order if of opinion that there has been a substantial change in circumstances since the making of the order and that it is in other respects just to do so.

Printed copies of the Housing (Management of Houses in Multiple Occupation) Regulations (Northern Ireland) 1965 (S.R. & O. (N.I.) 1965, No. 251) may be purchased directly from H.M. Stationery Office or through any bookseller, or may be inspected at the offices of the Council.

Under the regulations duties of management are imposed on "the manager", i.e., the owner or lessee of the premises who is receiving the rents from tenants of parts of the premises or from lodgers, and his agent or trustee (if any) through whom he receives the rents. These duties are, broadly, to ensure the good order, repair and (as appropriate) cleanliness of the following:—

- means of water supply and drainage;
- lighting and heating installations;
- rooms, and installations for sanitation and cooking, in common use;
- other parts of the premises in common use, e.g., halls, staircases and passageways;
- windows and other means of ventilation;
- means of escape from fire;
- common outbuildings, yards, gardens, etc.

The manager is also given certain responsibilities as respects the condition of rooms let to tenants or lodgers as living accommodation, the disposal of refuse and litter, and the taking of reasonable precautions to protect tenants and lodgers from dangers resulting from structural conditions in the premises.

The regulations entitle the Council to certain information from persons who have an interest in the premises. In particular an owner or lessee of the premises who receives rents (including payments in the nature of rents) from tenants of parts of the premises or from lodgers is required, on being served with a copy of the order (and without waiting for any further notice), to provide the Council with the following information in writing:—

- (a) his name and address,
- (b) particulars of his estate in the premises,
- (c) particulars sufficient to show what parts of the premises are let to the tenants or lodgers from whom he receives rents, and
- (d) the name and address of any agent or trustee through whom he receives such rents.

The above information should be sent (or handed in at the offices of the Council) as soon as possible and should be addressed to the Clerk of the Council.

By virtue of section 20(4) of the Act, offenders against the regulations are liable to a fine and, on a second or subsequent offence, to imprisonment.

For the purposes of these provisions the term "lessee" includes (by virtue of the regulations) a tenant, sub-tenant, sub-lessee and a statutory tenant under the Rent Acts.

FORM C

Section 21

HOUSING ACT (NORTHERN IRELAND) 1963

Notice requiring execution of Works to make good neglect of proper Standards of Management

*Insert address of premises. To being manager⁽¹⁾ of of *

Take Notice that—

- (1) in the opinion of the Council (hereinafter called "the Council"), the condition of the above-mentioned premises, to which the Housing (Management of Houses in Multiple Occupation) Regulations (Northern Ireland) 1965 apply by virtue of an order of the Council made on the day of 19 , is defective in consequence of neglect to comply with the requirements imposed by the said regulations or, in so far as any period before the said † day of 19 is concerned, neglect to comply with standards corresponding to the requirements imposed by the said regulations;
- (2) in the opinion of the Council the works specified in the schedule to this notice are required to make good the said neglect;
- (3) in pursuance of section 21(1) of the Housing Act (Northern Ireland) 1963 the Council require you within a period of † days from the date of this notice to execute the said works.

†Insert date of the Council's order.

‡The time allowed should be reasonable and must in any event not be less than 21 days from service of this notice.

⁽¹⁾"Manager" means an owner or lessee (including a tenant) of the premises who receives rents or other payments from tenants of parts of the premises or from lodgers, and his agent or trustee (if any) through whom he receives such rents or other payments.

SCHEDULE

SPECIFICATION OF WORKS

(Insert detailed specification of works to be executed.)

Dated this day of 19

Signed

Clerk of the Council.

NOTES

A person on whom this notice is served may appeal against it to a court of summary jurisdiction. The appeal must be brought within 21 days after the date of service of this notice (or such longer period as the Council may in writing allow) and may be brought on any of the following grounds which are appropriate in the circumstances of the particular case:—

- (a) that the condition of the house did not justify the Council in requiring the execution of the works specified;
- (b) that there has been some informality, defect or error in, or in connection with, the notice;
- (c) that the Council have refused unreasonably to approve the execution of alternative works, or that the works which are required to be executed are otherwise unreasonable in character or extent, or are unnecessary;
- (d) that the time within which the works are to be executed is not reasonably sufficient for the purpose;
- (e) that some person other than the appellant is wholly or in part responsible for the state of affairs calling for the execution of the works, or will as the holder of an estate in the premises derive a benefit from the execution of the works, and that that person ought to pay the whole or any part of the expenses of executing the works.

An appeal, in so far as it is based on a ground specified in sub-paragraph (b) above, will be dismissed if the court is satisfied that the informality, defect or error was not a material one.

Where the grounds upon which an appeal is brought include a ground set out in sub-paragraph (e) above, the appellant is required to serve a copy of his notice of appeal on each other person referred to. On the hearing of the appeal the court has power to make such order as it thinks fit with respect to the payment to be made by any such other person to the appellant or, if the work is executed by the Council, to the Council.

The period stated in this notice within which the works are to be executed may, if the Council think fit, be extended from time to time by the Council's written permission.

If the works specified in this notice are not executed by the person on whom it is served within the period, or extended period, specified by the Council (or, where the notice has been confirmed with or without variation by the court on appeal, within 21 days from the final determination of the appeal or such longer period as the court may, in determining the appeal, fix) or if the person on whom this notice is served notifies the Council, before the expiration of the time allowed, that he does not intend to do the work in question, the Council have power to carry out the work required by the notice (with any variation made by the court) and (subject to the terms of any order of the court referred to in the third paragraph of these Notes) to recover any expenses reasonably incurred by them in so doing from the person on whom the notice was served or, if he was served with the notice as being an agent or trustee for some other person, then either from him or that other person or as to part from him and as to the remainder from that other person. If, however, the person on whom notice is served can prove that the notice was served on him in his capacity only as an agent or trustee for some other person and that he has not, and, since the date of service on him by the Council

of a demand for payment, has not had in his hands on behalf of that other person sufficient money to discharge the whole demand of the Council his liability will be limited to the total amount of the money which he has, or has had, in his hands as aforesaid.

EXPLANATORY NOTE

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

These Regulations prescribe the forms of order and notices to be used by local authorities when dealing with houses in multiple occupation to which Management Regulations are about to be or have been applied.

1965. No. 253

FACTORIES

Employment of Women in Bakehouses

ORDER, DATED 1ST DECEMBER, 1965, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTION 23 OF THE FACTORIES ACT (NORTHERN IRELAND) 1959.

As this Order, being of a temporary character, has been exempted from printing by virtue of Reg. 5(1)(b) of S.R. & O. (N.I.) 1958, No. 195, made under the Statutory Rules Act (Northern Ireland) 1958, it is not printed at length in this volume.