STATUTORY INSTRUMENTS

1988 No. 1990

The Housing (Northern Ireland) Order 1988

PART III

MISCELLANEOUS PROVISIONS

Other provisions

Scheme for purchase of evacuated dwellings

29.—(1) The Executive shall submit to the Department a scheme making provision for the Executive to acquire by agreement houses owned by persons who, in consequence of acts of violence, threats to commit such acts or other intimidation, are unable or unwilling to occupy those houses.

(2) A scheme submitted under paragraph (1) may include provision as to—

(a) the circumstances in which the Executive may acquire a house under the scheme;

(b) the manner in which the purchase price is to be determined;

(c) the fittings which the Executive may purchase when acquiring a house under the scheme;

(d) the disposal of such houses; and

(e) such other matters as the Executive considers appropriate.

(3) A scheme submitted under paragraph (1) shall provide that, where any part of a house is used for purposes other than those of a dwelling, the Executive shall not acquire the house under the scheme, except with the consent of the Department.

(4) A scheme submitted under paragraph (1) may provide that where—

(a) the Executive is to acquire a house under the scheme, and

(b) there is land contiguous to that house which is not part of the curtilage of the house,

the Executive may, with the consent of the Department, acquire that land.

(5) Paragraph (2) shall apply in relation to provision made under paragraph (4) in respect of land in the same manner as it applies to provision made under paragraph (1) in respect of houses.

(6) The Department may approve a scheme submitted under paragraph (1) with or without modifications.

(7) The Executive shall comply with a scheme approved by the Department under paragraph (6).

(8) The Executive may at any time, and if the Department so directs shall, submit to the Department proposals for amending a scheme approved under paragraph (6) or a scheme replacing any such scheme and paragraphs (6) and (7) shall have effect in relation to those proposals or a scheme replacing an existing scheme as they have effect in relation to a scheme.

(9) In this Article "house" has the meaning given in Article 2(2) of the Order of 1981.

(10) The powers of the Executive shall be deemed always to have included power to make and operate a scheme making provision corresponding to that mentioned in paragraph (1).

Scheme for emergency house repairs

30.—(1) The Executive shall submit to the Department a scheme making provision for the Executive to carry out as a matter of urgency repairs to houses damaged—

(a) in consequence of civil disturbance, or

(b) in such other circumstances as the Department may specify in an order made subject to negative resolution.

(2) A scheme submitted under paragraph (1) may include provision as to—

(a) the classes of houses to which the scheme applies;

(b) the nature of the repairs to be carried out by the Executive under the scheme; and

(c) the terms on which the repairs are to be carried out.

(3) Paragraphs (6) to (8) of Article 29 shall apply in relation to a scheme made under this Article in the same manner as those provisions apply in relation to a scheme made under that Article.

(4) The powers of the Executive shall be deemed always to have included power to make and operate a scheme making provision corresponding to that mentioned in paragraph (1)(*a*).