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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**

**[<sup>F1</sup>CHAPTER II**

**CLEARANCE AREAS AND CLEARANCE, DEMOLITION AND CLOSING ORDERS**

**[<sup>F1</sup>Demolition orders**

**35.**—(1) Where the Executive is satisfied that a house, which is not a flat, is unfit for human habitation and that, in accordance with Article 46A, taking action under this paragraph is the most satisfactory course of action, the Executive shall make a demolition order with respect to the house concerned.

(2) Where the Executive is satisfied that, in a building containing one or more flats, some or all of the flats are unfit for human habitation and that in accordance with Article 46A, taking action under this paragraph is the most satisfactory course of action, the Executive shall make a demolition order with respect to the building.

(3) Where the Executive has made a demolition order, it shall serve a copy of the order on—

- (a) any owner of the premises, and
- (b) so far as it is reasonably practicable to ascertain such persons, every mortgagee of the premises.

(4) Where the premises in respect of which a demolition order is made are a building containing flats, any reference in sub-paragraph (a) or (b) of paragraph (3) to “the premises” includes a reference to the flats in the building concerned.

(5) Subject to Article 43, where the Executive makes a demolition order the order shall require—

- (a) that the premises be vacated within a period, not being less than 28 days from the date on which the order becomes operative, and
- (b) that the premises be taken down and removed—
  - (i) within 6 weeks after the expiration of the period specified in sub-paragraph (a), or
  - (ii) if the premises are not vacated within that period, within 6 weeks after the date on which it is vacated, or
  - (iii) within such longer period as the Executive may specify in the circumstances.

(6) Where, in accordance with Article 44, a demolition order becomes operative, the owner of the premises to which it applies shall take down and remove the premises within the time specified in the order; and, if the premises are not taken down and removed within that time, the Executive shall enter and take down and remove the premises and sell the materials thereof.

(7) Paragraphs 10 and 11 of Schedule 4 shall apply to any expenses incurred by the Executive under paragraph (6) and to any surplus remaining in the hands of the Executive.]

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**Changes to legislation:** *Housing (Northern Ireland) Order 1981, Section 35 is up to date with all changes known to be in force on or before 27 May 2023. 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) View outstanding changes*

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**F1** 1992 NI 15

**Changes to legislation:**

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[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art.155 revoked by [1997 c. 32 s.46\(2\)Sch.9](#)
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