
STATUTORY INSTRUMENTS

1981 No. 156

Housing (Northern Ireland) Order 1981

PART III

DEVELOPMENT FUNCTIONS OF THE EXECUTIVE

CHAPTER I

PROVISION OF HOUSING ACCOMMODATION

Provision of housing accommodation

- 27.** The Executive may provide housing accommodation by—
- (a) constructing houses on any land acquired by it,
 - (b) converting buildings into houses,
 - (c) acquiring houses,
 - (d) altering, enlarging, repairing or improving any houses or buildings which have been acquired by it,
 - (e) constructing, acquiring, altering, enlarging, improving or repairing any temporary building which may be, or may be made, suitable for residential purposes.

Supplementary powers

- 28.—(1)** The Executive may—
- (a) provide fixtures and fittings in houses, hostels or other buildings acquired by it or under its control, provide furniture in hostels acquired by it or under its control and sell, let, lend or hire such fixtures, fittings or furniture on such terms and conditions as to payment or otherwise as it may consider fit;
 - (b) manage any houses provided by it or otherwise under its control and promote the welfare and comfort of the tenants or occupiers thereof;
 - (c) demolish houses or buildings owned by it;
 - (d) develop land, lay out streets, roads and open spaces and hand over to the Department any streets or roads when completed;
 - (e) undertake and execute any lawful trust which has for its object the furtherance of the provision of housing accommodation in Northern Ireland, or any other subject similar or incidental to any purposes of the Executive;
 - (f) accept gifts and donations;
 - (g) support, or aid in the support of, charitable or benevolent associations or institutions connected with the provision of housing accommodation, or with objects ancillary to such provision;

Changes to legislation: *Housing (Northern Ireland) Order 1981, CHAPTER I 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*

(h) do all such other matters and things as are reasonably necessary for the exercise and performance of all or any of the powers and duties of the Executive under this Order and perform any other function which is incidental or conducive to the attainment or furtherance of the purposes of the Executive or any of them.

(2) The Executive may, with the consent of the Department, provide and maintain alone or jointly with any other person, in connection with any housing accommodation provided by it, any building adapted for use as a shop, any recreation grounds, or other buildings or land.

(3) The Department may give its consent under paragraph (2) subject to such conditions as it thinks fit.

(4) In paragraph (2) the power to provide buildings or land in connection with housing accommodation includes power to let or grant licences to use such buildings or land.

[^{F1}Provision of caravan sites for members of the Irish Traveller community

28A.—(1) The Executive—

- (a) shall provide such caravan sites as appear to it to be appropriate for the accommodation of caravans of members of the Irish Traveller community, and
- (b) may manage those sites or lease them to some other person.

(2) For the purposes of paragraph (1), the Executive may, under Article 87, acquire land—

- (a) on which to construct caravan sites,
- (b) which is in use as a caravan site, or
- (c) which has been laid out as a caravan site.

(3) The Executive may make such provision as appears to it desirable in connection with caravan sites provided under this Article and, in particular, may provide for the use of those occupying such sites, any services or facilities for their health or convenience that appear to it to be appropriate.

(4) In exercising their powers under this Article, the Executive shall have regard to any model conditions specified by the Department of the Environment under section 5(7) of the Caravans Act (Northern Ireland) 1963 (c. 17).

(5) The Executive shall make in respect of the use of caravan sites provided by it, and of any services or facilities made available under this Article, such reasonable charges as it may determine.

(6) The Executive shall not have power under this Article to provide caravans.

(7) In this Article—

- (a) “caravan” and “caravan site” have the same meaning as in the Caravans Act (Northern Ireland) 1963; and
- (b) any reference to the Irish Traveller community shall be construed in accordance with Article 5(2)(a) of the Race Relations (Northern Ireland) Order 1997 (NI 6).]

F1 2003 NI 2

Production and supply of heat

29.—(1) The Executive may—

- (a) establish and operate, or cause to be operated, for the production of heat such plant as it thinks fit;
- (b) buy or acquire heat; and
- (c) sell or otherwise dispose of heat to the occupiers of—

- (i) housing accommodation provided by the Executive,
 - (ii) buildings provided by the Executive in connection with the provision of such housing accommodation, and
 - (iii) any other house or building.
- (2) In paragraph (1) “heat” includes hot air, hot water and steam.

Submission of schemes by the Executive

30.—(1) The Executive shall prepare and submit to the Department for approval such schemes as the Department may require, showing the nature of the works to be executed or other steps to be taken by the Executive for the provision of housing accommodation or for the furtherance of any other purpose of the Executive.

(2) Schemes under paragraph (1) shall be in such form and contain such particulars as the Department may require.

(3) The Department may approve a scheme or part of a scheme submitted under paragraph (1) without modification or subject to such modifications as it may think fit.

[^{F2}Housing development]

31.—[^{F2}(1) The Executive may construct houses for sale.

(1A) The Executive may, under Article 87, acquire land for the purpose of—

- (a) paragraph (1); or
- (b) disposing of the land to a person who intends—
 - (i) to construct houses on it,
 - (ii) to provide housing accommodation by the conversion, improvement, rehabilitation or repair of buildings on it, or
 - (iii) to use it for purposes which, in the opinion of the Executive are necessary or desirable for, or incidental to, the development of the land for housing purposes.]

(2) Where, in accordance with Article 88, the Executive sells or leases any houses constructed by it or disposes of any land for the purposes specified in [^{F2} paragraph (1A)(b)], it may impose such covenants and conditions in relation to the houses or land as it thinks fit.

(3) The power of the Executive to sell or lease houses under Article 88 shall include, and be deemed always to have included, power to grant an equity-sharing lease.

(4) Upon a sale or grant of a lease of a house under Article 88, the Executive may agree to the price or any premium being paid by way of instalments or to payment being secured by a mortgage of the premises.

(5) Where the Executive disposes of any land for the purposes of [^{F2} paragraph (1A)(b)], it may contribute or agree to contribute, towards the cost of developing the land.

(6) In this Article—

- (a) “equity-sharing lease” means a lease of land, the general effect of which is to provide—
 - (i) that, in consideration for the granting of the lease, the lessee shall pay a capital sum, representing a part payment in respect of the cost of acquisition of the premises demised, and a rent; and
 - (ii) that the lessee may make additional part payments towards the said cost of acquisition and may exercise an option to purchase the whole or part of the lessor’s reversion in the premises demised;

Sub#para. (b) rep by 1997 NI 8

F2 1992 NI 15

[^{F3}Acquisition and development of land for resettlement of certain undertakings

31A.—(1) The Executive's power to acquire land under Article 87 shall be exercisable for the purpose of resettling a relevant undertaking.

(2) The Executive shall not acquire compulsorily for the purpose mentioned in paragraph (1) any land of an undertaking which is in use for the purposes of the undertaking, if the undertaking provides employment which is significant having regard to the extent of the land and the nature of the undertaking.

(3) The Executive may, for the purpose mentioned in paragraph (1)—

- (a) appropriate any land vested in it;
- (b) develop any land to which this sub-paragraph applies, whether by the erection or extension of buildings, the carrying out of works, the provision or facilitation of the provision of means of access, services or other facilities, or otherwise;
- (c) enter into an agreement with any person for the development in any manner described in sub-paragraph (b) of any land to which this sub-paragraph applies.

(4) Sub-paragraphs (b) and (c) of paragraph (3) apply to—

- (a) any land appropriated by the Executive under sub-paragraph (a) of that paragraph; and
- (b) any land acquired by the Executive for the purpose mentioned in paragraph (1).

(5) For the purpose of enabling a person carrying on a relevant undertaking to purchase or take on lease any land or to erect any buildings, the Executive may advance money by way of mortgage to that person.

(6) In this Article—

“relevant undertaking” means an undertaking which is being carried on on land which is being or has been acquired by the Executive under Article 87;

“undertaking” means any trade or business or other activity providing employment.]

F3 1992 NI 15

[^{F4}Acquisition of land by the Executive for amenity purposes

31B.—(1) The Executive's power to acquire land under Article 87 shall be exercisable for the purposes of effecting or assisting the improvement of the amenities of any area consisting mainly of housing accommodation.

(2) The Executive may, for the purposes mentioned in paragraph (1), carry out works on any land acquired by the Executive for those purposes.]

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