

Ireland), 1925, Sch., Art. 8] the Ministry of Commerce fixed the rate of payment to the said Ministry for the year 1931 at eleven pence for each million cubic feet of gas sold during the year 1930.

HOUSING.

Form of Orders and Notices.

THE HOUSING (FORM OF ORDERS AND NOTICES) REGULATIONS (NORTHERN IRELAND), 1931, DATED 17TH DAY OF NOVEMBER, 1931, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 44 OF THE PLANNING AND HOUSING ACT (NORTHERN IRELAND), 1931 (21 & 22 GEO. 5, C. 12).

1931. No. 125.

The Ministry of Home Affairs in exercise of the powers vested in it by Section 44 of the Planning and Housing Act (Northern Ireland), 1931, hereby makes the following Regulations :

1. These Regulations may be cited as the Housing (Form of Orders and Notices) Regulations (Northern Ireland), 1931.
2. The Forms set out in the Schedule hereto or forms substantially to the like effect, shall be the forms to be used in connection with the powers and duties of a local authority under Part II. of the Planning and Housing Act (Northern Ireland), 1931, in all cases to which these forms are applicable.
3. The Interpretation Act, 1889, (a) as applied to Northern Ireland by the Interpretation Act, 1921, (b) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

THE SCHEDULE.

FORM No. 1.

FORM OF CLEARANCE ORDER.

Whereas pursuant to Section 22 of the Planning and Housing Act (Northern Ireland), 1931, the¹ (hereinafter referred to as the Council) being satisfied as respects an area in their district—

- (1) that the dwelling houses in that area are by reason of disrepair or sanitary defects unfit for human habitation, or are by reason of their

(a) 52-3 V. c. 63.

(b) 12 Geo. 5, c. 4 [N.I.].

bad arrangement, or the narrowness or bad arrangement of the streets, dangerous or injurious to the health of the inhabitants of the area, [and that the other buildings in the area are for the like reason dangerous or injurious to the health of the said inhabitants]; and

- (2) that the most satisfactory method of dealing with the conditions in the area is the demolition of all the buildings in the area in accordance with the provisions contained in Part III. of the said Act relating to Clearance Areas;

have caused that area to be defined on a map in such manner as to exclude from the area any building which is not unfit for human habitation or dangerous or injurious to health;

And Whereas the Council have satisfied themselves that in so far as accommodation available for persons who will be displaced by the clearance of the area does not already exist, the authority can provide, or secure the provision of, such accommodation in accordance with the requirements of Section 22 of the said Act, and that the resources of the authority are sufficient for the purpose of carrying into effect the resolution hereinafter recited;

And Whereas by a resolution passed at a meeting of the Council held on the _____ day of _____, the Council have declared the area so defined to be a clearance area;

And Whereas in pursuance of their powers under the said Section the Council have determined by a resolution passed at a meeting of the Council on the _____ day of _____ 19____ to proceed to secure the clearance of the area by ordering the demolition of the buildings hereinafter referred to;

Now therefore the Council in pursuance of their powers under Section 23 of the Planning and Housing Act (Northern Ireland), 1931, hereby order—

1.—(1) that each of the buildings specified in the Schedule hereto be demolished, being the buildings which are coloured pink on a map marked² _____ and sealed with the Common Seal of the Council and deposited at the offices of the Council;

(2) that for the purposes of demolition each of the buildings be vacated on or before the expiration of the period specified in the sixth column of the said Schedule opposite to the number and description of the said building.

2. This Order may be cited as the³ _____ Clearance Order, 19____

SCHEDULE.

Numbers on Map deposited at the offices of the Council.	Description and situation of the buildings.	Owners or reputed owners.	Lessees or reputed lessees.	Occupiers (except tenants for a month or less period than a month).	Period from the date when the Order becomes operative* within which the building is to be vacated.
(1)	(2)	(3)	(4)	(5)	(6)

(L.S.)

Given under the Seal of the
this

day of

, 19

DIRECTIONS FOR FILLING UP THIS FORM.

¹ Description of the local authority.

² The Map should be identified by a heading in the terms of the short title of the order.

³ Here insert a suitable short title.

* Section 45 of the Planning and Housing Act (Northern Ireland), 1931, provides that when a Clearance Order has been confirmed by the Ministry of Home Affairs it shall become operative at the expiration of six weeks from the date on which notice of its confirmation is published in accordance with the provisions of that section, but if proceedings in the Supreme Court are instituted within that period by an aggrieved person desirous of questioning the validity of the Order, the Court may, if satisfied that the Order is not within the powers of the Act or that the interests of the applicant have been substantially prejudiced by any requirement of the Act not having been complied with, quash the Order either generally or in so far as it affects any property of the applicant.

FORM No. 2.

FORM OF NOTICE TO OWNERS, MORTGAGEES, LESSEES AND OCCUPIERS OF THE MAKING OF A CLEARANCE ORDER.

To¹

Take Notice that the² in pursuance of their powers under Part II of the Planning and Housing Act (Northern Ireland), 1931, on the day of 19 made a Clearance Order which is about to be submitted to the Ministry of Home Affairs for confirmation, ordering the demolition of the buildings described in the Schedule hereunder.

Copies of the Order and of the Map referred to therein and a map of the clearance area have been deposited at and may be seen at all reasonable hours.

The buildings included in the area to which the Order relates in which you are interested as { owner mortgagee lessee occupier } are³ and the Order requires that for the purpose of demolition these buildings shall be vacated within⁴ after the Order becomes operative.

Any objection to the Clearance Order must be made in writing, stating the grounds of your objection and addressed to the Secretary, Ministry of Home Affairs (Local Government Division), Stormont, Belfast, before the⁵ day of 19

The Act provides that if no objection is duly made by any of the persons upon whom notices are required to be served, or if all objections are withdrawn, the Ministry may, if it thinks fit, confirm the Order with or without modification; but in any other case it shall, before confirming the Order, cause a public local inquiry to be held and shall consider any objection not withdrawn and the report of the person who held the inquiry, and may then confirm the order either with or without modification.

The Act also provides that when a clearance order has become operative, the owner or owners of any building to which the order applies shall demolish that building before the expiration of six weeks from the date on which the building is required by the order to be vacated or, if it is not vacated until after that date, before the expiration of six weeks from the date on which it is vacated or, in either case, before the expiration of such longer period as in the circumstances the Local Authority may deem reasonable.

The Act also provides that when a clearance order has been confirmed by the Ministry of Home Affairs it shall become operative at the expiration of six weeks from the date on which notice of its confirmation is published in accordance with the provisions of the Act, but if proceedings in the Supreme Court are instituted within that period by an aggrieved person desirous of questioning the validity of the Order, the Court may, if satisfied that the Order is not within the powers of the Act or that the interests of the applicant have been substantially prejudiced by any requirement of the Act not having been complied with, quash the Order either generally or in so far as it affects any property of the applicant.

Schedule.

(One of the alternative forms (a), (b) and (c) should be used as may be convenient.)

(a) A description of each of the buildings as in the Clearance Order,

or

(b) The area to which the Order relates is bounded as follows :—

On the North by
On the South by
On the East by
On the West by

or

(c) The area to which the Order relates is bounded by a line commencing (set out the entire lineal boundary).

Dated this _____ day of _____ 19 _____

Signature of the Clerk of the Local Authority.

DIRECTIONS FOR FILLING UP THIS FORM.

- ¹ Insert name, address, and description.
- ² Description of local authority.
- ³ Description of building in Clearance Order.
- ⁴ Insert date prescribed by Clearance Order.
- ⁵ Here insert date 14 clear days from the service of the notice.

FORM No. 3.

FORM OF ADVERTISEMENT OF MAKING OF A CLEARANCE ORDER
BY A LOCAL AUTHORITY.¹ORDER.

Notice is hereby given that the² _____ in pursuance of the powers vested in them by Part II. of the Planning and Housing Act (Northern Ireland), 1931, on the _____ day of _____ 19 _____, made a Clearance Order which will be submitted for confirmation by the Ministry of Home Affairs ordering the demolition of the buildings described in the Schedule hereunder and their vacation within the periods respectively specified in the Order.

Copies of the said Order and of the Map referred to therein and a map of the clearance area have been deposited at _____ and may be seen at all reasonable hours.

SCHEDULE.

(One of the alternative forms (a), (b) and (c) should be used as may be convenient.)

(a) A description of each of the buildings as in the Clearance Order stating the owners and occupiers,

or

(b) The area to which the Order relates is bounded as follows :—

On the North by
On the South by
On the East by
On the West by

or

(c) The area to which the Order relates is bounded by a line commencing (set out the entire lineal boundary).

Dated this _____ day of _____ 19 _____

Signature of the Clerk of the Local Authority.

DIRECTIONS FOR FILLING UP THIS FORM.

- ¹ Here insert short title of order.
- ² Description of local Authority.

FORM No. 4.

FORM OF ADVERTISEMENT OF CLEARANCE ORDER CONFIRMED BY THE
MINISTRY OF HOME AFFAIRS.

¹ORDER.

Notice is hereby given that the Ministry of Home Affairs, in pursuance of the powers vested in it by Part II. of the Planning and Housing Act (Northern Ireland), 1931, on the _____ day of _____, 19____ confirmed [with modifications] a Clearance Order submitted to it by the² _____ ordering the demolition of the buildings described in the Schedule hereunder and their vacation within the periods respectively specified in the Order.

Copies of the above-mentioned Order and of the Map referred to therein and a Map of the clearance area has been deposited at _____ and may be seen at all reasonable hours.

The Order will become operative at the expiration of six weeks from the date of this advertisement, but if proceedings in the Supreme Court are instituted within that period by an aggrieved person desirous of questioning the validity of the Order, the Court may, if satisfied that the Order is not within the powers of the Act or that the interests of the applicant have been substantially prejudiced by any requirement of the Act not having been complied with, quash the Order either generally or in so far as it affects any property of the applicant.

SCHEDULE.

(One of the alternative forms (a), (b) and (c) should be used as may be convenient.)

(a) A description of each of the buildings as in the Clearance Order

or

(b) The area to which the Order relates is bounded as follows :—

- On the North by _____
- On the South by _____
- On the East by _____
- On the West by _____

or

(c) The area to which the Order relates is bounded by a line commencing (set out the entire lineal boundary).

Dated this _____ day of _____ 19____

Signature of the Clerk of the Local Authority.

DIRECTIONS FOR FILLING UP THIS FORM.

¹ Here insert short title of order.

² Description of local Authority.

FORM No. 5.

FORM OF NOTICE TO OCCUPIER TO QUIT BUILDING AFTER CLEARANCE ORDER
HAS BECOME OPERATIVE.

To¹ _____ the occupier of the building²

Take notice :—

That by the³ _____ Clearance Order made by
the⁴ _____ in pursuance of their powers under section 23 of
the Planning and Housing Act (Northern Ireland), 1931, and confirmed by the
Ministry of Home Affairs on the _____ day of _____ 19____
it was ordered that the above-mentioned building be demolished and for the
purposes of demolition be vacated within _____ from the date when
the Order became operative.

And that the³ _____ Clearance Order became operative
on the _____ day of _____ 19____

And that in pursuance of section 35 of the Planning and Housing Act (Northern Ireland), 1931,⁵ you are required to quit the said building before the
day of _____ 19____

Dated this _____ day of _____ 19____

Signature of the Clerk of the Local Authority

DIRECTIONS FOR FILLING UP THIS FORM.

- ¹ Name of Occupier.
- ² Description of building in Clearance Order.
- ³ Here insert short title of order.
- ⁴ Description of local Authority.

* Section 35 of the Planning and Housing Act (Northern Ireland), 1931, provides that when a Clearance Order has become operative the Local Authority shall serve on the occupier of any building or any part of any building to which the Order relates a notice stating the effect of the Order and specifying the date by which the Order requires the building to be vacated and requiring him to quit the building before the said date or before the expiration of 28 days from the service of the notice, whichever may be the later.

FORM No. 6.

FORM OF NOTICE OF TIME AND PLACE AT WHICH THE QUESTION OF MAKING A DEMOLITION ORDER IN RESPECT OF A DWELLING-HOUSE WILL BE CONSIDERED.

To¹

the person having control of the dwelling-house²
and to¹
of the said house and to¹
mortgagees of the said house;

the owners

Whereas the³

(hereinafter referred to as "the Council") are satisfied that the above-mentioned dwelling-house is unfit for human habitation and is not capable at a reasonable expense of being rendered so fit.

Take Notice that the condition of the above-mentioned house and any offer with respect to the carrying out of works or the future user of the house will be considered by the Council at

the _____ day of _____ 19 _____, at _____ on*
in the _____ noon when any of the persons

to whom this notice is addressed will be entitled to be heard.

Dated this _____ day of _____, 19 _____

Signature of the Clerk of the Local Authority.

DIRECTIONS FOR FILLING UP THIS FORM.

- ¹ Name, residence or place of business, and description, where known.
 - ² Such a description of the dwelling-house as may be sufficient for its identification.
 - ³ Description of the Local Authority.
- * Not less than 21 days' notice must be given.

FORM No. 7.

FORM OF ORDER FOR DEMOLITION OF A DWELLING-HOUSE.

Whereas the¹

(hereinafter referred to as "the Council") after complying with the requirements of Section 29 of the Planning and Housing Act (Northern Ireland), 1931, are satisfied that the dwelling-house² is unfit for human habitation and is not capable at a reasonable expense of being rendered so fit and have accepted no undertaking from an owner or mortgagee with respect to the future user of the house;

Now therefore the Council, in pursuance of Sub-section (6) of Section 29 of the Planning and Housing Act (Northern Ireland), 1931, order as follows:—

- (1) The said dwelling-house be vacated within*
days from the date on which this Order becomes operative;
- (2) the said dwelling-house be taken down and removed within six† weeks after the expiration of the last-mentioned period, or if the house is not vacated by that date within six weeks after the date on which it is vacated.

Dated this _____ day of _____, 19 _____

(To be sealed with the Common Seal of the Local Authority.)

DIRECTIONS FOR FILLING UP THIS FORM.

¹ Description of the Local Authority.

² Such a description of the dwelling-house as may be sufficient for its identification.

* This period must not be less than 28 days.

† A longer period may be specified if the Local Authority think fit.

NOTE.

Sub-sections (2), (5) and (6) of Section 29 of the Planning and Housing Act (Northern Ireland), 1931, provide as follows:—

"(2) Where a local authority, upon consideration of the representation of the medical officer of health or a report from any of their officers, or other information in their possession, are satisfied that any dwelling-house is unfit for human habitation and is not capable at a reasonable expense of being rendered so fit, they shall serve upon the person having control of the house notice of the time (being some time not less than twenty-one days after the service of the notice) and place at which the condition of the house, and any offer with respect to the carrying out of works or the future user of the house which such person may wish to submit, will be considered by them; and every person upon whom such a notice is served shall be entitled to be heard when the matter is so taken into consideration.

(5) Any person upon whom a notice under this section has been served may, within seven days after the time specified in the notice, by written notice to the local authority undertake that the house shall not be used for human habitation until the authority, on being satisfied that it has been rendered fit for that purpose, cancel the undertaking:

Provided that no such undertaking shall be accepted by the local authority in any case where, in the opinion of the authority, the continued existence of the house would be dangerous or injurious to the health of the public or of the inhabitants of neighbouring dwelling-houses.

(6) If no such undertaking as is mentioned in the last preceding sub-section is accepted by the local authority, or if, in a case where they have accepted such an undertaking, the house is at any time used in contravention of the terms of the undertaking, the authority shall forthwith make a demolition order requiring that the house shall be vacated within a period to be specified in the order, not being less than twenty-eight days from the date on which the order becomes operative, and that it shall be taken down and removed within six weeks after the expiration of that period, or, if the house is not vacated before the expiration of that period, within six weeks after the date on which it is vacated, or in either case within such longer period as in the circumstances the local authority deem it reasonable to specify, and shall serve the order upon every person upon whom they would be required by sub-sections (3) and (4) of this section to serve a notice issued by them under this section."

Section 34 of the Act provides that any person aggrieved by a demolition order made under Part II. of that Act may within 21 days after the service of the order appeal to the county court within the jurisdiction of which the premises to which the order relates are situate. No proceedings may be taken by the Local Authority to enforce any order against which an appeal is brought before the appeal has been finally determined. No appeal lies against a demolition order at the instance of a person who is in occupation of the premises to which the order relates under a lease or agreement of which the unexpired term does not exceed three years.

A demolition order does not become operative until either the time within which an appeal can be made has elapsed without an appeal being made or in case an appeal is made the appeal is finally determined or withdrawn. When a demolition order has become operative the Local Authority are required by Section 35 (1) of the Act to serve on the occupier of any building or any part of any building to which the order relates, a notice stating the effect of the order and specifying the date by which the order requires the building to be vacated and requiring him to quit the building before that date or before the expiration of 28 days from the service of the notice whichever may be the later. Section 35 (2) of the Act provides that any person who knowing that a demolition order

has become operative and applies to any building, enters into occupation of that building, or any part thereof, after the date by which the order requires that building to be vacated, or permits any other person to enter into such occupation after that date, shall be liable on summary conviction to a fine not exceeding £20 and to a further penalty of £5 for every day, or part of a day, on which occupation continues after conviction.

FORM No. 8.

FORM OF ORDER FOR DEMOLITION OF DWELLING-HOUSE ON BREACH OF UNDERTAKING.

Whereas the¹
(hereinafter referred to as "the Council") in pursuance of Section 29 of the Planning and Housing Act (Northern Ireland), 1931, being satisfied that the dwelling-house² was unfit for human habitation and was not capable at a reasonable expense of being rendered so fit, and having complied with the provisions of the said Section as to the service of notices and the consideration of representations made by the persons upon whom notices were served accepted on the day of an undertaking from , being the owner [or mortgagee] of the house in the following terms:—

[Here set out the terms of the undertaking.]

And Whereas the said undertaking has been broken in the following respects:—

[Here give particulars of the breaches of the undertaking.]

Now therefore the Council in pursuance of Sub-section (6) of Section 29 of the Planning and Housing Act (Northern Ireland), 1931, order as follows:—

- (1) The said dwelling-house be vacated within* days from the date on which this Order becomes operative;
- (2) The said dwelling-house be taken down and removed within† six weeks after the expiration of the last-mentioned period or if the house is not vacated by that date within† six weeks after the date on which it is vacated.

Dated this day of 19

(To be sealed with the Common Seal of the Local Authority.)

DIRECTIONS FOR FILLING UP THIS FORM.

¹ Description of the Local Authority.

² Such a description of the dwelling-house as may be sufficient for its identification.

* This period must not be less than 28 days.

† A longer period may be specified if the Council think fit.

(The Note as in the Form of Order for Demolition of a Dwelling-house.)

FORM No. 9.

FORM OF NOTICE TO OCCUPIER OF DEMOLITION ORDER WHICH HAS BECOME OPERATIVE.

To¹ the occupier of the dwelling-house²

Take Notice:—

That on the day of , 19 the³
(hereinafter referred to as "the Council")

in pursuance of the Planning and Housing Act (Northern Ireland), 1931, made an Order (hereinafter called the Demolition Order):—

- (a) That the above-mentioned dwelling-house be vacated within days from the date on which the Order became operative;
- (b) That the said dwelling-house be taken down and removed within six weeks* after the expiration of the last-mentioned period or if the house was not vacated by that date within six weeks* after the date on which it was vacated.

And that the Demolition Order became operative on the
day of _____ 19 _____ ;

And that in pursuance of Section 35 of the Planning and Housing Act (Northern
Ireland), 1931, you are required to quit the said house before the
day of _____ 19 _____

Dated this _____ day of _____ 19 _____

Signature of the Clerk of the Local Authority.

DIRECTIONS FOR FILLING UP THIS FORM.

- ¹ Name of Occupier.
- ² Such a description of the dwelling-house as may be sufficient for its identification.
- ³ Description of the Local Authority.
- * Or such longer period as may have been specified by the Council.

NOTE.

By Section 35 of the Planning and Housing Act (Northern Ireland), 1931, it is provided :—

“ 35.—(1) Where a clearance order or a demolition order has become operative, the local authority shall serve upon the occupier of any building or any part of any building to which the order relates a notice stating the effect of the order and specifying the date by which the order requires the building to be vacated, and requiring him to quit the building before the said date or before the expiration of twenty-eight days from the service of the notice, whichever may be the later ; and if at any time after the date on which the notice requires the building to be vacated any person is in occupation of the building, or of any part thereof, the local authority or any owner of the building may make complaint to a court of summary jurisdiction, and thereupon the court shall by their warrant order vacant possession of the building or of the part thereof to be given to the complainant within such period, not being less than two weeks nor more than four weeks, as the court may determine, and such warrant shall have the like effect as a warrant issued by justices under section eighty-six of the Landlord and Tenant Law Amendment Act, Ireland, 1860.

(2) Any person who, knowing that a clearance order or a demolition order has become operative and applies to any building, enters into occupation of that building or of any part thereof after the date by which the order requires that building to be vacated, or permits any other person to enter into such occupation after that date, shall be liable on summary conviction to a fine not exceeding twenty pounds and to a further penalty of five pounds for every day or part of a day on which the occupation continues after conviction.”

FORM No. 10.

FORM OF NOTICE REQUIRING THE PERSON HAVING CONTROL OF A DWELLING
HOUSE TO EXECUTE WORKS UNDER SECTION 30 OF THE PLANNING AND
HOUSING ACT (NORTHERN IRELAND), 1931.

To¹

the person* having control of the dwelling-house²

Take Notice :—

(1) that the³ _____ (hereinafter referred to as the Council) are satisfied that the above-mentioned house is unfit for human habitation in the respects hereinafter mentioned ;

(2) that the Council are not satisfied that it is incapable at reasonable expense of being rendered fit for human habitation ;

(3) that in pursuance of Sub-section (1) of Section 30 of the Planning and Housing Act (Northern Ireland), 1931, the Council require you within a period of⁴ days ending on the day of 19 to execute the following works, which will in the opinion of the Council render the house fit for human habitation, namely⁵

Dated this day of 19

.....
Signature of the Clerk of the Local Authority.

DIRECTIONS FOR FILLING UP THIS FORM.

¹ Name, residence or place of business, and description, where known, of person having control of the house.

² Such a description of the house as may be sufficient for identification.

³ Description of the Local Authority.

⁴ Time allowed for execution of works, being in no case less than 21 days. (Particular care should be taken that the time allowed is sufficient for the purpose).

⁵ Specification in detail of works to be executed.

* The person having control of a house is defined in s. 29 (3) of the Act as the person who receives the rack rent of the house, whether on his own account or as agent or trustee for any other person, or who would so receive it if the house were let at a rack rent. Rack rent means a rent which is not less than two-thirds of the full net annual value of the house.

NOTE.

A person upon whom a notice requiring him to execute works under Section 30 of the Act has been served may within twenty-one days after the receipt of the notice by written notice to the local authority undertake that the house shall not be used for human habitation until the authority on being satisfied that it has been rendered fit for that purpose cancel the undertaking.

Section 34 of the Act provides that any person aggrieved may appeal to the County Court against such notice and against any demand for the recovery of expenses from him or an order made by the Local Authority under Section 31 of the Act in respect of those expenses, by giving notice of appeal to the County Court within the jurisdiction of which the premises to which the notice demand or order relates are situate. The appeal must be made within 21 days after the date of the service of the notice, demand or order, and no proceedings may be taken by the Local Authority to enforce any notice, demand or order against which an appeal is brought before the appeal has been finally determined. On an appeal raised on a demand or order no question can be raised which might have been raised against an appeal against the original notice requiring the execution of the works.

If the notice of the Local Authority is not complied with, and an undertaking that the house shall not be used for human habitation has not been given, then after the expiration of the time specified in the notice, or, if an appeal has been made against the notice and upon that appeal the notice has been confirmed with or without variation, after the expiration of twenty-one days from the final determination of the appeal, or of such longer period as the Court in determining the appeal may fix, the Local Authority may themselves do the work required to be done by the notice, or by the notice as varied by the Court, as the case may be.

Any expenses incurred by the Local Authority under Section 31, together with interest, at a rate not exceeding five pounds per cent. per annum, from the date when a demand for the expenses is served until payment, may be recovered by them as a debt from the person having control of the dwelling-house, or, if he receives the rent of the house as agent or trustee for some other person, then either from him or from that other person, or in part from him and as to the remainder from that other person:

Provided that if the person having control of the dwelling-house proves that he—

- (i) is receiving the rent merely as agent or trustee for some other person; and
- (ii) has not, and since the date of the service on him of the demand has not had, in his hands on behalf of that other person sufficient money to discharge the whole demand of the authority,

his liability shall be limited to the total amount of the money which he has, or has had, in his hands as aforesaid.

The Local Authority may by order declare any such expenses to be payable by weekly or other instalments within a period not exceeding thirty years with interest at a rate not exceeding five pounds per cent. per annum, from the date of the service of the demand until the whole amount is paid. Any such instalments and interest, or any part thereof, may be recovered as a debt from any owner or occupier of the dwelling-house, and, if recovered from an occupier, may be deducted by him from the rent of the house.

FORM No. 11.

FORM OF ORDER DECLARING EXPENSES INCURRED BY THE LOCAL AUTHORITY IN THE CASE OF A HOUSE TO WHICH SECTION 30 OF THE PLANNING AND HOUSING ACT (NORTHERN IRELAND), 1931, APPLIES TO BE PAYABLE BY WEEKLY OR OTHER INSTALMENTS.

To _____ the occupier
owner of the house,¹

Whereas by a notice dated the _____ day of _____

19 _____, the² _____ (hereinafter referred to as "the Council") in pursuance of Section 30 of the Planning and Housing Act (Northern Ireland), 1931, have required the person having control of the above-mentioned house to execute, within the time specified in that notice, the works specified in the said notice, stating therein that such works would in their opinion render the house fit for human habitation;

And whereas the said notice has not been complied with and the Council in pursuance of Section 31 of the said Act have done the work required to be done and have incurred in so doing expenses amounting to the sum of £ _____;

Now therefore the Council hereby declare that the said expenses amounting to the sum of £ _____ shall be payable by weekly* instalments of £ _____ within a period not exceeding † _____ years with interest at the rate of ‡ _____ pounds per cent. per annum, until the whole amount is paid.

Dated the _____ day of _____, 19 _____.

(To be sealed with the Common Seal of the Local Authority.)

DIRECTIONS FOR FILLING UP THIS FORM.

¹ Such a description of the house as may be sufficient for identification.

² Description of the Local Authority.

* Or monthly, quarterly, or annual, or as the case may be.

† The period to be specified must not exceed thirty years.

‡ The rate of interest must not exceed five pounds per cent. per annum.

NOTE.

By Sub-section (5) of Section 31 of the Act it is provided that any instalments or interest or any part of any instalment or interest under an order of the Local Authority declaring their expenses to be payable by weekly or other instalments may be recovered as a debt from any owner or occupier, and if recovered from the occupier may be deducted by him from the rent of the house.

A person aggrieved may appeal to the County Court against any notice requiring him to execute works under Section 30 of the Act, and against any demand for the recovery of expenses from him or an order made by the Local Authority under Section 31 of the Act in respect of those expenses, by giving notice of appeal to the County Court within the jurisdiction of which the premises to which the notice, demand or order relates are situate. The appeal must be made within 21 days after the date of the service of the notice, demand or order, and no proceedings may be taken by the Local Authority to enforce any notice, demand or order against which an appeal is brought before the appeal has been finally determined. On an appeal against a demand or order no question can be raised which might have been raised on an appeal against the original notice requiring the execution of the works.

FORM No. 12.

FORM OF NOTICE OF TIME AND PLACE AT WHICH THE QUESTION OF MAKING A CLOSING ORDER IN RESPECT OF PART OF A BUILDING WILL BE CONSIDERED.

To¹ _____ the person having control of part of the building² _____ being³ _____ and to¹ _____ the owners of the above-mentioned part of the said building and to¹ _____ the mortgagees of the above-mentioned part of the said building ;

Whereas the⁴ _____ (hereinafter referred to as " the Council ") are satisfied that the above-mentioned part of the said building is unfit for human habitation and is not capable at a reasonable expense of being rendered so fit ;

Take Notice that the condition of the above-mentioned part of the said building and any offer with respect to the carrying out of works or the future user of the said part of the said building will be considered by the Council at

_____ on* _____ the _____ day of _____ 19 _____ at _____ in the _____ noon when any of the persons to whom this notice is addressed will be entitled to be heard.

Dated this _____ day of _____ 19 _____

Signature of the Clerk of the Local Authority.

DIRECTIONS FOR FILLING UP THIS FORM.

- ¹ Name, residence or place of business and description, where known.
- ² Such a description of the building as may be sufficient for its identification.
- ³ Such a description of the part of the building as may be sufficient for its identification.
- ⁴ Description of Local Authority.
- * Not less than 21 days' notice must be given.

FORM No. 13.

FORM OF CLOSING ORDER OF PART OF A BUILDING.

Whereas the¹ _____ (hereinafter referred to as " the Council ") after complying with the requirements of section 29 of the Planning and Housing Act (Northern Ireland), 1931, are satisfied that a part of the building known as² _____ being³ _____ let for human habitation as a separate tenement is unfit for human habitation and is not capable at a reasonable expense of being rendered so fit ;

And Whereas the Council have accepted no undertaking from an owner or mortgagee with respect to the carrying out of works or the future user of the said part of the said building ;

Now therefore the Council in pursuance of section 32 of the Planning and Housing Act (Northern Ireland), 1931, hereby prohibit the use of the said part of the said building for human habitation.

Dated this _____ day of _____ 19 _____

(To be sealed with the Common Seal of the Local Authority.)

DIRECTIONS FOR FILLING UP THIS FORM.

- ¹ Description of the local authority.
- ² Such a description of the building as may be sufficient for its identification.
- ³ Such a description of the part of the building as may be sufficient for its identification.

NOTE.

Section 32 of the Planning and Housing Act (Northern Ireland), 1931, provides that a local authority may under Part II. of that Act take the like proceedings in relation to any part of a building which is let for human habitation as a separate tenement, as they are empowered to take in relation to a dwelling-house subject, however, to this qualification that in circumstances in which in the case of a dwelling-house they would have made a demolition order, they shall, in the case

of a part of a building, which is let for human habitation as a separate tenement, make a closing order prohibiting the use of that part for human habitation. The local authority are required to determine a closing order made by them on being satisfied that the part of the building to which it relates has been rendered fit for human habitation.

Section 34 of the Act provides that any person aggrieved by a closing order or the refusal to determine a closing order may within 21 days after the service of the order, or after the refusal, appeal to the county court within the jurisdiction of which the premises to which the order relates are situate. No proceedings may be taken by the local authority to enforce any order against which an appeal is brought before the appeal has been finally determined. No appeal lies at the instance of a person who is in occupation of the premises to which the order relates under a lease or agreement of which the unexpired term does not exceed three years.

A closing order does not become operative until either the time within which an appeal can be made has elapsed without an appeal being made or in case an appeal is made the appeal is finally determined or withdrawn. An appellant should notify the local authority forthwith of any appeal to the County Court.

Section 33 (2) of the Act provides that any person who, knowing that a closing order has become operative and applies to any premises, uses those premises in contravention of the terms of the order, or permits them to be so used, shall be liable on summary conviction to a fine not exceeding £20 and to a further penalty of £5 for every day or part of a day on which he so uses them or permits them to be so used after conviction.

FORM No. 14.

FORM OF CLOSING ORDER OF PART OF A BUILDING ON BREACH OF
UNDERTAKING.

Whereas the¹
(hereinafter referred to as "the Council") in pursuance of section 32 of the
Planning and Housing Act (Northern Ireland), 1931, being satisfied that the part
of the building² being³
let for human habitation as a separate tenement was unfit for human
habitation and was not capable at a reasonable expense of being rendered
so fit and having complied with the provisions of section 29 of the Act as to the
service of notices and the consideration of representations made by the persons
upon whom the notices were served on the day of
accepted an undertaking from
being the owner [or mortgagee] of the said part of the said building in the
following terms:

[Here set out the terms of the undertaking.]

And Whereas the said undertaking has been broken in the following respects:—

[Here give particulars of the breaches of the undertaking.]

Now therefore the Council in pursuance of section 32 of the Planning and
Housing Act (Northern Ireland), 1931, prohibit the use of the said part of the said
building for human habitation.

Dated this _____ day of _____, 19__

(To be sealed with the Common Seal of the Local Authority.)

DIRECTIONS FOR FILLING UP THIS FORM.

¹ Description of the Local Authority.

² Such a description of the building as may be sufficient for its identification.

³ Such a description of the part of the building as may be sufficient for its
identification.

(The Notes to this Form are the same as the notes to Form No. 13.)

FORM No. 15.

FORM OF ORDER DETERMINING CLOSING ORDER IN RESPECT OF PART
OF A BUILDING.

To¹ _____ owner* of
part of the building †
being †

Whereas on the _____ day of
19 _____, in pursuance of section 32 of the Planning and Housing Act (Northern
Ireland), 1931, a Closing Order was made by the² _____ (hereinafter
referred to as "the Council") in respect of the above-mentioned part of the
said Building and by the said Closing Order the Council prohibited the use of
the said part of the said building for human habitation;

And whereas the Council are satisfied that the said part of the said building
has been rendered fit for human habitation:

Now therefore the Council hereby determine the Closing Order aforesaid.

Dated this _____ day of _____, 19 _____

(To be sealed with the Common Seal of the Local Authority.)

DIRECTIONS FOR FILLING UP THIS FORM.

¹ Name, residence, or place of business, and description, where known, of
owner or mortgagee.

² Description of the Local Authority.

* Or mortgagee.

† Such a description of the building as may be sufficient for identification.

‡ Such a description of the part of the building as may be sufficient for identi-
fication.

FORM No. 16.

FORM OF NOTICE OF REFUSAL OF LOCAL AUTHORITY TO DETERMINE
A CLOSING ORDER IN RESPECT OF PART OF A BUILDING.

To¹ _____ owner* of
the part of the building †
being †

Take Notice that the²
(hereinafter referred to as "the Council") having considered your application
to them to determine the Closing Order made by them in pursuance of the Planning
and Housing Act (Northern Ireland), 1931, on the _____ day
of _____, 19 _____, in respect of the above-
mentioned part of the said building, and not being satisfied that the said part
of the said building has been rendered fit for human habitation, have this day
refused to determine the said Closing Order.

Dated this _____ day of _____, 19 _____

Signature of the Clerk of the Local Authority.

DIRECTIONS FOR FILLING UP THIS FORM.

¹ Name, residence or place of business, and description, where known, of
owner or mortgagee.

² Description of the Local Authority.

* Or mortgagee.

† Such a description of the building as may be sufficient for identification.

‡ Such a description of the part of the building as may be sufficient for identi-
fication.

NOTE.

Section 32 of the Planning and Housing Act (Northern Ireland), 1931, provides that a Local Authority shall determine a Closing Order made by them under that section in respect of a part of a building on being satisfied that the said part of the said building has been rendered fit for human habitation.

Section 34 of the Act provides that a person aggrieved by the refusal of a Local Authority to determine a Closing Order may, within 21 days after the refusal, appeal to the County Court within the jurisdiction of which the premises to which the refusal relates are situate.

Given under the Seal of the Ministry of Home Affairs
this 17th day of November, 1931.

(L.S.)

D. L. Clarke,

Assistant Secretary.

INTOXICATING LIQUOR.

Licences : Rates of Charges.

DETERMINATION BY THE MINISTRY OF FINANCE UNDER SECTION 3 OF THE INTOXICATING LIQUOR ACT (NORTHERN IRELAND), 1923, AS AMENDED BY THE INTOXICATING LIQUOR (FINANCE) ACT (NORTHERN IRELAND), 1925, OF THE RATES AT WHICH CHARGES ARE TO BE IMPOSED IN RESPECT OF LICENCES FOR THE SALE OF INTOXICATING LIQUOR BY RETAIL TO BE GRANTED OR RENEWED DURING THE YEAR ENDING 30TH SEPTEMBER, 1932.

1931. No. 88.

In pursuance of sub-sections (3) (b) and (4) of Section 3 of the Intoxicating Liquor Act (Northern Ireland), 1923, as amended by the Intoxicating Liquor (Finance) Act (Northern Ireland), 1925, the Ministry of Finance hereby determines that the rates at which charges are to be levied in respect of all licences for the sale of Intoxicating Liquor by retail granted or renewed during the year ending 30th September, 1932, shall be eighty per cent. of the maximum rates of charge authorised by sub-section (1) of Section 1 of the Intoxicating Liquor (Finance) Act (Northern Ireland), 1925.

Given under the Seal of the Ministry of Finance this 10th
day of August, 1931.

G. C. Duggan,

Assistant Secretary.