



# Housing Act 1961

## 1961 CHAPTER 65

### PART II

#### AMENDMENTS OF HOUSING ACT, 1957

##### *Miscellaneous*

#### **26 Power to substitute closing order for demolition order to enable a house to be used otherwise than for human habitation**

- (1) If an owner of a house in respect of which a demolition order has become operative or any other person who has an interest in the house submits proposals to the local authority for the use of the house for a purpose other than human habitation, the local authority may, if they think fit so to do, determine the demolition order and make a closing order as respects the house.
- (2) Where a local authority determine a demolition order and make a closing order under this section, they shall serve notice that the demolition order has been determined and a copy of the closing order on every person on whom they would be required by subsection (1) of section sixteen of the principal Act to serve a notice issued by them under that subsection.
- (3) In subsection (5) of section twenty-seven and in section twenty-eight of the principal Act (which relate respectively to the recovery of possession of premises subject to a closing order made under subsection (1) of section seventeen of that Act and to the substitution of a demolition order for a closing order so made) references to a closing order made under the said subsection (1) shall include references to a closing order made under this section.
- (4) This section shall be construed as one with Part II of the principal Act.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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## **27 Minor amendments of principal Act**

- (1) Subsection (2) of section thirty-eight of the principal Act (which provides that no appeal shall lie from a decision of the Court of Appeal on an appeal from a county court in proceedings originating in an appeal to the county court under Part II of that Act) shall cease to have effect.
- (2) In section one hundred and twenty-four of the principal Act (which empowers the Minister to make a grant towards the expenses of a central association for promoting the formation and extension of housing associations in any of the five years next following the date on which he recognises that body for the purposes of that section) the words " in any of the five years next following the date on which he recognises the said body " shall cease to have effect.
- (3) Subsection (2) of section one hundred and sixty-nine of the principal Act (which excludes the provisions of that section relating to the service of notices and other documents in the case of certain documents to be served under Part II of that Act) shall cease to have effect.
- (4) In paragraph (a) of sub-paragraph (1) of paragraph 3 of the Second Schedule to the principal Act (which relates to payments for wellknaintained houses) for the words " owned or occupied" there shall be substituted the words " owned and occupied ".

## **28 Interpretation and construction of Part II**

- (1) In this Part of this Act " the principal Act" means the Housing Act, 1957.
- (2) This Part of this Act shall be construed as one with the principal Act.