



Housing (Scotland) Act 2001

2001 asp 10

PART 6

GRANTS FOR IMPROVEMENT, REPAIRS ETC.

Improvement grants

99 Applicant's contribution to expense of works

After section 240 of the 1987 Act insert—

“240A Assessment of applicant's contribution

- (1) The Scottish Ministers may by regulations make provision for the assessment, in relation to such classes of application for an improvement grant as the regulations may specify, of an amount to be treated, for the purposes of section 242(1)(b), as the applicant's contribution towards the approved expense.
- (2) Regulations under subsection (1) may provide for assessment to be by reference to—
 - (a) the income and other financial circumstances of the applicant, the applicant's spouse, any person who lives or intends to live with the applicant and any person on whom the applicant is dependent or who is dependent on the applicant,
 - (b) such other criteria as the Scottish Ministers think fit,and may make different provision for different cases or descriptions of case.
- (3) Regulations under subsection (1) shall be made by statutory instrument and shall not be made unless a draft has been laid before, and approved by resolution of, the Scottish Parliament.
- (4) In this Part—

“the applicant's contribution” means an amount assessed under subsection (1),

Status: This is the original version (as it was originally enacted).

“approved expense” means, in relation to works referred to in an application, the amount of the expense of executing those works (as estimated in the application) approved by the local authority as being attributable to each house proposed to be provided or improved.

240B Applicant’s contribution: review

- (1) Where an applicant for an improvement grant requests a review of an assessment of the applicant’s contribution, the local authority to which the application was made shall review the assessment.
- (2) A request for a review shall be made before the end of the period of 21 days beginning with the day on which the notice under section 241(1) was given or such longer period as the authority may allow.
- (3) A review under subsection (1) shall be carried out by a person senior to the person who made the assessment being reviewed and who had no involvement in the making of that assessment.
- (4) The authority shall notify the applicant of the decision reached on review.
- (5) Notice required to be given to the applicant under subsection (4) shall be given in writing and shall, if not received by him, be treated as having been given only if it is made available at the authority’s office for a reasonable period for collection by him or on his behalf.
- (6) There is no right to request a review of a decision reached on review.”