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STATUTORY INSTRUMENTS

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**1992 No. 1725**

**The Housing (Northern Ireland) Order 1992**

**PART III**

**GRANTS**

**CHAPTER I**

**GRANTS TOWARDS COST OF IMPROVEMENTS AND REPAIRS, ETC.**

*Restrictions on grant aid*

**Restriction on grants for works already begun**

**46.**—(1) Subject to paragraphs (2) and (3), the Executive may not approve an application for a grant if the relevant works have been commenced before the application is approved and shall serve a notice of refusal to that effect on the applicant.

(2) Paragraph (1) does not apply to—

(a) an application which the Executive is required to approve by virtue of Article 50 if completion of the relevant works is necessary to comply with a notice under Article 41 of the Order of 1981 (repair notice requiring works to render premises fit for human habitation); or

(b) an application which the Executive is required to approve by virtue of Article 51.

(3) Where the relevant works have not been completed, the Executive may approve the application for a grant if it is satisfied that there were good reasons for beginning the works before the application was approved.

(4) Where the Executive decides to approve an application in accordance with paragraph (3)—

(a) it may, with the consent of the applicant, treat the application as varied so that the relevant works are limited to those that remain to be completed at the date of the application; and

(b) in determining for the purposes of Articles 51, 52 and 53 the physical condition of the dwelling, common parts or house or other building concerned, it shall consider the condition of the premises at the date of the application.