
STATUTORY INSTRUMENTS

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

Tenants' common parts applications

49.—(1) This Article applies where an application for a grant is a tenants' common parts application.

(2) The Executive shall decide how much of the cost of the relevant works is attributable to the applicants (in this Article referred to as “the attributable cost”); and, for the purposes of this Article, the attributable cost is an amount equal to the proportion, referred to in paragraph (3), of the cost of the relevant works.

(3) The proportion mentioned in paragraph (2) is as follows—

- (a) where it can be ascertained, the proportion that the aggregate of each of the applicant's respective liabilities to carry out or contribute to the carrying out of the relevant works bears to the aggregate of all such liabilities on the part of all persons (including the applicants) so liable; or
- (b) where the proportion mentioned in sub-paragraph (a) cannot be ascertained, the proportion that the number of applicants bears to the number of persons (including the applicants) liable to carry out or contribute to the carrying out of works to the building;

and in any case where the interest by virtue of which the liability referred to in sub-paragraph (b) arises is held jointly by 2 or more persons, those persons shall be regarded as a single person in deciding for the purposes of that sub-paragraph the number of persons so liable.

(4) The Executive shall then apportion the attributable cost to each of the applicants—

- (a) in a case where the attributable cost is calculated by reference to the proportion mentioned in sub-paragraph (a) of paragraph (3), according to the proportion that his liabilities to carry out or contribute to the carrying out of the relevant works bears to the aggregate of the applicants' liabilities mentioned in that sub-paragraph; or
- (b) in a case where the attributable cost is calculated by reference to the proportion mentioned in sub-paragraph (b) of that paragraph, equally;

and the amount of grant payable shall be the aggregate of the grants that would be payable to each of the applicants under Article 47 or, in the case of a participating landlord, Article 48 if each of the applicants was an individual applicant under Article 47 or, as the case may be, Article 48 in respect

Status: This is the original version (as it was originally made).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

of his apportionment of the attributable cost under sub-paragraph (a) or, as the case may be, sub-paragraph (b).