

1976 No. 210

RESETTLEMENT SERVICES

Resettlement Grants Order (Northern Ireland) 1976

Made 15th July 1976

Coming into operation 1st September 1976

To be laid before Parliament under Paragraph 3(3) of
Schedule 1 to the Northern Ireland Act 1974

The Department of the Environment for Northern Ireland in exercise of the powers conferred by section 2 of the Resettlement Services Act (Northern Ireland) 1971(a) and now vested in it(b) and of every other power enabling it on that behalf and with the approval of the Department(c) of Finance hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Resettlement Grants Order (Northern Ireland) 1976 and shall come into operation on 1st September 1976.

Interpretation

2. In this Order:—

“the Belfast Urban Area” means the area surrounded by a thick black line on the map sealed by the Department and marked “Resettlement Grants Order (Northern Ireland) 1976 Belfast Urban Area”;

“the Craigavon marked area” means the area surrounded by a black line on the map sealed by the Department and marked “Resettlement Grants Order (Northern Ireland) 1976 Craigavon marked area”;

“the Department” means the Department of the Environment for Northern Ireland;

“grant” except in relation to a grant under the Resettlement Grants Order (Northern Ireland) 1974(d), means a grant under Article 4;

“house” includes a flat or maisonette;

“receiving area” means the area surrounded by a black line on each of the two maps sealed by the Department and marked “Resettlement Grants Order (Northern Ireland) 1976”, those maps being further marked respectively “Antrim receiving area” and “Craigavon receiving area”.

Revocation and transitional provisions

3.—(1) Subject to paragraphs (2) to (5), the Resettlement Grants Order (Northern Ireland) 1974 is hereby revoked.

(a) 1971 c. 10 (N.I.)

(b) Formerly the Ministry of Development: S.R. & O. (N.I.) 1973 No. 504, Art. 7 (II, p. 2992) and 1973 c. 36 Sch. 5 para. 8(1) and latterly the Department of Housing, Local Government & Planning S.I. 1976/424 N.I. 6

(c) Formerly Ministry: see 1973 c. 36 Sch. 5 para. 8(1)

(d) S.R. 1974 No. 181 (I, p. 776)

(2) Where, prior to the commencement of this Order, a person has registered with the Development Advice Centre of the Department his intention to apply for a grant under the Resettlement Grants Order (Northern Ireland) 1974 because he intends to resettle in the Bangor, Carrickfergus or Newtownards receiving area as defined in that Order the Department may pay him a grant under that Order if—

- (a) within six months from the commencement of this Order he resettles in that area by transferring his household to it, and
- (b) within nine months from that commencement he applies to the Department for payment of the grant.

(3) The Department may pay a grant under the Resettlement Grants Order (Northern Ireland) 1974 to a person who has resettled in the said Bangor, Carrickfergus or Newtownards receiving area prior to the commencement of this Order if he applies to the Department within three months from that commencement for payment of the grant.

(4) The Department may pay a grant under the Resettlement Grants Order (Northern Ireland) 1974 to a person who has resettled in the Antrim or Craigavon receiving area prior to the commencement of this Order if he applies to the Department for payment of the grant within three months from that commencement or three months from the date on which he became eligible for payment of grant, whichever is the later.

(5) Where a grant is paid under paragraph (2), (3) or (4) all the provisions of the Resettlement Grants Order (Northern Ireland) 1974, including provisions about repayment or recovery of grant shall apply as if that Order had not been revoked.

Resettlement grant

4. Subject to the provisions of this Order the Department may pay a grant to a person who resettles in a receiving area after the commencement of this Order.

Eligibility for grant

5.—(1) A person shall not be paid a grant unless he satisfies the Department that—

- (a) he was not unemployed when he resettled in the receiving area; and
- (b) he has resettled in a receiving area in a house having a net annual value not exceeding £285 of which he or his wife is the tenant or owner; and
- (c) he has applied for payment of the grant within three months of resettling as mentioned in sub-paragraph (b); and
- (d) he had not been refused a grant or loan under the Employment and Training Act (Northern Ireland) 1950(e) in respect of his resettlement or proposed resettlement in a receiving area, and he also satisfies the Department that either—
 - (i) prior to resettlement in the Antrim receiving area he or his wife was resident in the Belfast Urban Area for not less than the six months last past;
 - (ii) prior to resettlement in the Craigavon receiving area he or his wife was resident in Northern Ireland elsewhere than in the Craigavon marked area for not less than the six months last past.

(e) 1950 c. 29 (N.I.)

(2) For the purposes of this Article a person shall not be considered to have been resident in a house if he resided therein without the consent of the owner, unless the Department determines he is to be considered to have been resident there.

Amount of grant

6.—(1) Without prejudice to paragraph (2) and Articles 7 and 8 and subject to Article 9(2), where a person resettles in a receiving area, the amount of grant payable shall be £450.

(2) Subject to Article 9(2), where a person receives a grant in circumstances where he resettles as first owner-occupier of a house the amount of the grant shall be increased by £50.

(3) Such amount may be paid in such instalments and at such intervals as may be determined by the Department with the approval of the Department of Finance.

(4) If a person otherwise entitled to a grant ceases to reside in the receiving area during the eighteen months following his resettlement and the whole of the grant has not been paid to him, the Department shall make no further payments in respect of the grant.

Additional payments towards expenses of owner-occupiers

7. Where a person receives a grant for resettling in a receiving area as the owner-occupier of a house, the Department may pay three-quarters of the expenses reasonably incurred by him in the acquisition of the house, subject to a maximum payment of £145; or, where the house he resided in immediately before the resettlement was owned by him, may pay three-quarters of the aggregate of the expenses reasonably incurred by him in the disposal of that house and the expenses reasonably incurred by him in the purchase of the house in which he resides in the receiving area, subject to a maximum payment of £240.

Travelling expenses

8. Where a person receives a grant for resettling in a receiving area and at the date of resettlement is in full-time employment in the Belfast Urban Area the Department may pay him 40 new pence for each day, subject to a limit of two pounds for each week, in which he travels from the receiving area to his place of work in the Belfast Urban Area for a period of one year from the date of resettlement.

Prevention of duplication of payments

9.—(1) A person who resettles in a receiving area and has received or is entitled to receive a grant or loan under the Employment and Training Act (Northern Ireland) 1950 in respect of that resettlement shall not receive any grant under this Order for the same resettlement.

(2) Where a person receives or is entitled to receive any payment under Article 30, 32(7) or 37 of the Land Acquisition and Compensation (Northern Ireland) Order 1973(f) in respect of the house in which he resided prior to resettling in a receiving area he may only receive as grant under this Order such amount as when added to the payments which he receives or is entitled to receive under the said Articles would not exceed £450 or, in case of a person entitled to an additional grant of £50 under Article 6(2) of this Order, £500.

(f) S.I. 1973/1896 (N.I. 21)

(3) If two or more persons apply for payment of grant in respect of their resettlement in the same house in a receiving area, their applications shall be treated as if they were one application and the Department shall determine to whom the grant is to be paid.

(4) Where a person has received a grant under the Resettlement Grants Order (Northern Ireland) 1971(g), the Resettlement Grants Order (Northern Ireland) 1974 or this order he shall not be eligible to apply for a further grant under this Order.

Conditions not satisfied on resettlement

10. Notwithstanding anything in this Order where a person upon resettlement in a receiving area is unable to satisfy the conditions to receive a grant or an increase in a grant immediately, he may be paid a grant or an increase in his grant if the necessary conditions are satisfied within a period of six months from the date of resettlement.

Disregard of delay in certain cases

11. Where a person satisfies the Department that he intended to resettle in a receiving area immediately after he or his wife left an area specified in Article 5(1)(i) or (ii) but is unable to so resettle the Department may disregard any period not exceeding six months between the date when he or his wife left that area and the date of his resettlement in a receiving area.

Persons who have served with Her Majesty's Forces

12. Where a person who is serving or has ceased to serve in Her Majesty's Forces resettles in a receiving area and cannot satisfy Article 5(1)(i) or (ii) because of such service, he shall be considered eligible to receive a grant if he or his wife had been resident as required by the said paragraph (i) or (ii) for—

- (a) the six months prior to the date he became a member of Her Majesty's Forces; or
- (b) the six months prior to the date of their marriage, if at the date of their marriage he was a member of Her Majesty's Forces.

Repayment of grant in certain circumstances

13. If a person who has been paid a grant or part of a grant in respect of his resettlement in a receiving area does not reside in that area for a continuous period of eighteen months from the date of resettlement, the Department may require him to repay the grant, or so much of it as has been paid, less one-eighteenth part of the grant for each month he has so resided.

Residence in receiving area

14.—(1) The Department may treat a person as residing in a receiving area if a member of that person's household who resettled at the same time as he did in the house in the receiving area for which the grant was paid continues to reside in that house or another house in the receiving area of which that person or his wife is owner or tenant.

(2) The Department may pay any part of the grant to such member of the household referred to in paragraph (1) as it may determine.

Recovery of repayable grants

15. Any money recoverable under this Order may be recovered summarily by the Department as a civil debt due to it.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 15th July 1976.

(L.S.)

J. L. Semple

Assistant Secretary

The Department of Finance for Northern Ireland hereby approves the foregoing Order.

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 15th July 1976.

(L.S.)

C. F. Darling

Senior Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order provides for the payment of grants to assist the resettlement in Craigavon of persons from other parts of Northern Ireland and for the resettlement of persons from the Belfast Urban Area in Antrim.

The Order supersedes the Resettlement Grants Order (Northern Ireland) 1974 which in addition to providing for grants to be paid for resettlements in Craigavon and Antrim also provided for the payment of grants for the resettlement of persons from the Belfast Urban Area in Bangor, Carrickfergus and Newtownards.

Under the Order of 1974 a grant of £120 was payable, with an increase of £50 for owner-occupiers of subsidy houses, to persons resettling in Bangor, Carrickfergus and Newtownards; and a grant of £450 was payable, with an increase of £50 for owner-occupiers of subsidy houses, to persons resettling in Antrim and Craigavon. This Order revokes the provisions of the Order of 1974 which provided for the payment of grant in respect of resettlements in Bangor, Carrickfergus and Newtownards but retains the provisions for Antrim and Craigavon.

The provisions in the Order of 1974 for the payment to persons who receive a grant on their resettling in Antrim or Craigavon of contributions towards their expenses in acquiring or disposing of their houses (where they are owner-occupiers), and of contributions towards their expenses in travelling during their first year in their new homes to their places of work in the Belfast Urban Area, are also retained.

The distinction made in the Order of 1974 between transferring and establishing a household is removed in this Order and a grant may be now paid to anyone who resettles in Antrim or Craigavon if the other conditions of the Order are satisfied.

Provision is also made in the Order for special consideration to be given to servicemen who while serving or on discharge wish to resettle in Antrim or Craigavon but who cannot satisfy the residence qualification because of their military service. It also requires a person to apply for grant within three months of resettling as tenant or owner of a house. This Order also makes transitional arrangements to take account of those cases in respect of resettlements in Bangor, Carrickfergus and Newtownards where persons have resettled but not yet applied for grant and where persons have stated their intention to resettle but have not yet done so.

Copies of the maps referred to in the Order have been deposited with the Clerk to the Northern Ireland Assembly, the Clerk of the Parliaments and the Clerk of the House of Commons. Copies of the maps are available for inspection at the Department of the Environment, Development Advice Centre, Clarendon House, Adelaide Street, Belfast.

1976 No. 211

GAME

**Game Preservation (Grouse, Partridge and Hen Pheasants)
Order (Northern Ireland) 1976**

Order, dated 16th July 1976, made by the Department of the Environment, in exercise of the powers conferred by sections 7C and 7F of the Game Preservation Act (Northern Ireland) 1928.

This Order, made for the protection of grouse, partridge and hen pheasants, being of a temporary effect, is not printed at length in this volume.