
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 417

ENERGY CONSERVATION

**The Domestic Energy Efficiency Grants
(Amendment) Regulations (Northern Ireland) 1996**

Made - - - - 10th September 1996

Coming into operation 7th October 1996

The Department of Economic Development, in exercise of the powers conferred on it by Article 17(1), (2), (3), (4), (5), (6), (7) and (10) of the Social Security (Northern Ireland) Order 1990⁽¹⁾, and of every other power enabling it in that behalf, with the consent of the Department of Finance and Personnel, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Domestic Energy Efficiency Grants (Amendment) Regulations (Northern Ireland) 1996 and shall come into operation on 7th October 1996.

Interpretation

2. In these Regulations—

“the 1992 Act” means the Social Security Contributions and Benefits (Northern Ireland) Act 1992⁽²⁾; and

“war disablement pension” means any retired pay, pension or allowance granted in respect of any disablement under powers conferred by or under the Air Force (Constitution) Act 1917, the Personal Injuries (Emergency Provisions) Act 1939, the Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939, the Polish Resettlement Act 1947 or Part VII or section 151 of the Reserve Forces Act 1980.

Amendments

3. The Domestic Energy Efficiency Grants Regulations (Northern Ireland) 1994⁽³⁾ shall be amended in accordance with the following Regulations.

⁽¹⁾ S.I.1990/1511 (N.I. 15)

⁽²⁾ 1992 c. 7

⁽³⁾ S.R. 1994 No. 306

Persons who may apply for grant

- 4.—(1) For regulation 4(1)(b) (persons who may apply for grant) substitute—
- “(b) who at the time of making the application has, or lives with a spouse who has, attained the age of 60; or
 - (c) who at the time of making the application is, or lives with a spouse who is, in receipt of an attendance allowance, a disability living allowance (as provided for in Part III of the 1992 Act), a disability working allowance, family credit, housing benefit, income support (each as provided for in Part VII of the 1992 Act), or an income-based jobseeker’s allowance within the meaning of the Jobseekers (Northern Ireland) Order 1995(4), or
 - (d) who at the time of making the application is, or lives with a spouse who is, in receipt of a war disablement pension, and
 - (i) a mobility supplement or a payment intended to compensate for the non-payment of such a supplement, or
 - (ii) a payment made under regulations made under paragraph 4(2)(b) of Schedule 8 to the 1992 Act (constant attendance allowance).”.
- (2) In regulation 4(2)—
- (a) before the definition of householder insert—
 - ““an attendance allowance” means—
 - (a) an attendance allowance under Part III of the 1992 Act;
 - (b) a payment made under Article 14, 15, 16, 43 or 44 of the Personal Injuries (Civilians) Scheme 1983(5) or any analogous payment;
 - (c) any payment based on need for attendance which is paid with a war disablement pension; or
 - (d) any payment intended to compensate for the non-payment of any payment, allowance or pension mentioned in sub-paragraphs (a) to (c) of this definition;”;
 - (b) After the definition of householder insert—
 - ““mobility supplement” means a mobility supplement under—
 - (a) Article 26A of the Naval, Military or Air Forces etc. (Disablement and Death) Service Pensions Order 1983(6) (including such a supplement payable by virtue of the application of that article by any other scheme or order); or
 - (b) under Article 25A of the Personal Injuries (Civilians) Scheme 1983 (including that article as applied by Article 48A of that Scheme)(7).”.

Grant applications

5. In regulation 5(3) (application for grant)—
- (a) in sub-paragraphs (a) and (b) for “in a case where the applicant proposes to carry out the works himself” substitute “in a case where the applicant proposes that the works will not be carried out, or arranged to be carried out, by a network installer”; and
 - (b) for paragraph (d)(ii) substitute “the applicant specified the name of a network installer as required by regulation 5(3)(a), and”.

(4) S.I. 1995/2705 (N.I. 15)

(5) S.I. 1983/686; relevant amending instruments are S.I. 1983/1164 and 1984/1675

(6) S.I. 1983/883; Article 26A was inserted by S.I. 1983/1116 and amended by S.I. 1983/1521, S.I. 1986/592, 1990/1308, 1991/766, 1992/710 and 1995/766

(7) Article 25A was inserted by S.I. 1983/1164 and amended by S.I. 1983/1540, 1986/628, 1990/1300, 1991/708 and 1992/702; Article 48A was inserted by S.I. 1984/1289

Procedure after applying to administering agency

6. In regulation 9(2) (procedure after application to administering agency) for “Except in a case where the applicant proposes to carry out the works himself” substitute “Except in a case where the applicant proposes that someone who is not a network installer will carry out or arrange to carry out the works”.

Claiming and paying grant

7. In regulation 11 (claim for and payment of grant)—

(a) in paragraph (1)—

(i) in sub-paragraph (a) for “by the applicant himself” substitute “by any other person”, and

(ii) in sub-paragraph (c)(ii) for “where the applicant carried out the work himself” substitute “where a network installer did not carry out or arrange to carry out the work”; and

(b) in paragraph (4) for “where the work has been carried out by the applicant himself” substitute “where the work has not been carried out or arranged to have been carried out by a network installer”.

Application

8. Any amendment made by these Regulations shall not have effect in a case where an application has been made under regulation 5 of the Domestic Energy Efficiency Grants Regulations (Northern Ireland) 1994 (application for a grant to administering agency) before the amendment comes into operation.

Sealed with the Official Seal of the Department of Economic Development on 10th September 1996.

L.S.

J. E. Wolstencroft
Assistant Secretary

The Department of Finance and Personnel hereby consents to the foregoing Regulations.
Sealed with the Official Seal of the Department of Finance and Personnel on 10th September 1996.

L.S.

D. W. Thomson
Assistant Secretary

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

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Domestic Energy Efficiency Grants Regulations (Northern Ireland) 1994, which provide for grants to improve energy efficiency in dwellings and certain buildings in multiple occupation, and for agencies to administer the making of the grants.

Regulation 4 extends eligibility for grants to cases where an individual receives an attendance or disability living allowance, an income-based jobseekers' allowance or both a war disablement pension and either mobility supplement or constant attendance allowance.

Regulations 5, 6, 7(a)(i) and (ii) and (b) replace references to cases where the applicant carries out the grant works himself with references to cases where the works are not carried out by network installers.