
DRAFT STATUTORY INSTRUMENTS

2003 No.

The Housing (Northern Ireland) Order 2003

PART III

GRANTS, &c. FOR RENEWAL OF PRIVATE SECTOR HOUSING

CHAPTER VI

SUPPLEMENTARY PROVISIONS

Transitional provisions and savings

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120.—(1) The provisions of Chapters II to IV of this Part have effect in place of Chapter I of Part III of the Order of 1992 (grants towards cost of improvements and repairs, &c.).

(2) Subject as follows, the provisions of Chapter I of Part III of that Order continue to apply to applications for grant of the descriptions mentioned in Article 39 of that Order made before the day of the coming into operation of this Part.

(3) Articles 50 and 51 of that Order (which require the Executive to approve certain grant applications) do not apply to an application under that Chapter, made after such date as may be prescribed which has not been approved or refused before the day of the coming into operation of this Part, unless—

- (a) the 6 month period under Article 54(1) of that Order (period within which applicant to be notified of decision) has elapsed before that day, or
- (b) the works were begun on or before such date as may be prescribed—
 - (i) in an emergency, or
 - (ii) in order to comply with a notice under Article 80 of that Order (notice requiring works to render premises fit for number of occupants) or Article 41 of the Order of 1981 (repair notice requiring works to render premises fit for human habitation).

(4) An application to which Article 50 or 51 of the Order of 1992 would have applied but for paragraph (3) shall be dealt with after the day of the coming into operation of this Part as if those Articles were omitted from Chapter I of Part III of that Order.

(5) The repeal by this Order of Chapter I of Part III of the Order of 1992 shall not affect paragraph (3)(c) of Article 73 of that Order or any regulations made under that paragraph prescribing provisions of that Chapter which are to apply in relation to replacement grants.

(6) The above provisions do not affect the power conferred by Article 1(4) to make transitional provision and savings in relation to the coming into operation of this Part, including provision supplementary or incidental to the above provisions.

Supplementary and incidental provision may, in particular, be made adapting the provisions of Chapter I of Part III of the Order of 1992 in the case of applications to which Article 50 or 51 of that Order would have applied but for the above provisions.