



Housing Grants, Construction and Regeneration Act 1996

1996 CHAPTER 53

PART I

GRANTS, &C. FOR RENEWAL OF PRIVATE SECTOR HOUSING

CHAPTER I

THE MAIN GRANTS

Restrictions on grant aid

29 Restriction on grants for works already begun.

- (1) Subject as follows, a local housing authority shall not approve an application for a grant if the relevant works have been begun before the application is approved.
- (2) Where the relevant works have been begun but have not been completed, the authority may approve the application for a grant if they are satisfied that there were good reasons for beginning the works before the application was approved.
- (3) Where an authority decide to approve an application in accordance with subsection (2), they may, with the consent of the applicant, treat the application as varied so that the relevant works do not include any that are completed.

But in determining for the purposes of the application the physical condition of the dwelling [^{F1}, qualifying houseboat, [^{F2}caravan] or] common parts ^{F3} . . . concerned, they shall consider the condition of the premises at the date of the application.

- (4) ^{F4} . . . a local housing authority shall not approve an application for a grant if the relevant works have been completed.
- (5) ^{F5}

Status: Point in time view as at 18/01/2005.

Changes to legislation: There are currently no known outstanding effects for the Housing Grants, Construction and Regeneration Act 1996, Cross Heading: Restrictions on grant aid. (See end of Document for details)

(6) ^{F6}

Textual Amendments

- F1** Words in s. 29(3) inserted (19.7.2003) by [The Regulatory Reform \(Housing Assistance\) \(England and Wales\) Order 2002 \(S.I. 2002/1860\)](#), arts. 1(3), 11(1), **Sch. 3 para. 10(a)(i)** (with art. 11(2))
- F2** Word in s. 29(3) substituted (18.1.2005) by [Housing Act 2004 \(c. 34\)](#), **ss. 224(5)(c), 270(3)(a)** (with s. 224(9))
- F3** Words in s. 29(3) repealed (19.7.2003) by [The Regulatory Reform \(Housing Assistance\) \(England and Wales\) Order 2002 \(S.I. 2002/1860\)](#), arts. 1(3), 11(1), 15, **Sch. 3 para. 10(a)(ii), Sch. 6** (with art. 11(2))
- F4** Words in s. 29(4) repealed (19.7.2003) by [The Regulatory Reform \(Housing Assistance\) \(England and Wales\) Order 2002 \(S.I. 2002/1860\)](#), arts. 1(3), 11(1), 15, **Sch. 3 para. 10(b), Sch. 6** (with art. 11(2))
- F5** S. 29(5) repealed (19.7.2003) by [The Regulatory Reform \(Housing Assistance\) \(England and Wales\) Order 2002 \(S.I. 2002/1860\)](#), arts. 1(3), 11(1), 15, **Sch. 3 para. 10(c), Sch. 6** (with art. 11(2))
- F6** S. 29(6) repealed (19.7.2003) by [The Regulatory Reform \(Housing Assistance\) \(England and Wales\) Order 2002 \(S.I. 2002/1860\)](#), arts. 1(3), 11(1), 15, **Sch. 3 para. 10(c), Sch. 6** (with art. 11(2))

30 Means testing in case of application by owner-occupier or tenant.

- (1) ^{F7}
- (2) ^{F8}
- (3) ^{F9}
- (4) If in the case of an application for a ^{F10} . . . grant the financial resources of any person of a description specified by regulations exceed the applicable amount, the amount of any grant which may be paid shall, in accordance with regulations, be reduced from what it would otherwise have been.
- (5) Provision may be made by regulations—
 - (a) for the determination of the amount which is to be taken to be the financial resources of any person,
 - (b) for the determination of the applicable amount referred to in subsection ^{F11} . . . (4), and
 - (c) as to circumstances in which the financial resources of a person are to be assumed (by reason of his receiving a prescribed benefit or otherwise) not to exceed the applicable amount.
- (6) Regulations may, in particular—
 - (a) make provision for account to be taken of the income, assets, needs and outgoings not only of the person himself but also of his spouse, any person living with him or intending to live with him and any person on whom he is dependent or who is dependent on him;
 - (b) make provision for amounts specified in or determined under the regulations to be taken into account for particular purposes.
- (7) Regulations may apply for the purposes of this section, subject to such modifications as may be prescribed, any other statutory means-testing regime as it has effect from time to time.

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- (8) Regulations may make provision requiring any information or evidence needed for the determination of any matter under this section to be furnished by such person as may be prescribed.
- (9) In this section “regulations” means regulations made by the Secretary of State with the consent of the Treasury.

Textual Amendments

- F7** S. 30(1)-(3) repealed (19.7.2003) by The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860), arts. 1(3), 11(1), 15, **Sch. 3 para. 11(a)**, **Sch. 6** (with art. 11(2))
- F8** S. 30(1)-(3) repealed (19.7.2003) by The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860), arts. 1(3), 11(1), 15, **Sch. 3 para. 11(a)**, **Sch. 6** (with art. 11(2))
- F9** S. 30(1)-(3) repealed (19.7.2003) by The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860), arts. 1(3), 11(1), 15, **Sch. 3 para. 11(a)**, **Sch. 6** (with art. 11(2))
- F10** Words in s. 30(4) repealed (19.7.2003) by The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860), arts. 1(3), 11(1), 15, **Sch. 3 para. 11(b)**, **Sch. 6** (with art. 11(2))
- F11** Words in s. 30(5)(b) repealed (19.7.2003) by The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860), arts. 1(3), 11(1), 15, **Sch. 3 para. 11(c)**, **Sch. 6** (with art. 11(2))

Commencement Information

- I1** S. 30 wholly in force; s. 30 not in force at Royal Assent see s. 150; s. 30 in force for certain purposes at 11.9.1996 by S.I. 1996/2352, **art. 2(2)**; s. 30 in force insofar as not already in force at 17.12.1996 by S.I. 1996/2842, **art. 3**

31 Determination of amount of grant in case of landlord’s application.

- [^{F12}(1) This section applies to an owner’s application in respect of works to a dwelling which is or is intended to be let, or to the common parts of a building in which a flat is or is intended to be let.]
- (2) ^{F13}
- (3) The amount of the grant (if any) shall be determined by the local housing authority, having regard to—
- (a) the extent to which the landlord is able to charge a higher rent for the premises because of the works, and
 - (b) such other matters as the Secretary of State may direct.
- (4) The authority may, if they think it appropriate, seek and act upon the advice of rent officers as to any matter.
- (5) The Secretary of State may by regulations make provision requiring any information or evidence needed for the determination of any matter under this section to be furnished by such person as may be prescribed.

Textual Amendments

- F12** S. 31(1) substituted (19.7.2003) by The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860), arts. 1(3), 11(1), **Sch. 3 para. 12(a)** (with art. 11(2))

Status: Point in time view as at 18/01/2005.

Changes to legislation: There are currently no known outstanding effects for the Housing Grants, Construction and Regeneration Act 1996, Cross Heading: Restrictions on grant aid. (See end of Document for details)

F13 S. 31(2) repealed (19.7.2003) by The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860), arts. 1(3), 11(1), 15, **Sch. 3 para. 12(b)**, **Sch. 6** (with art. 11(2))

Commencement Information

I2 S. 31 wholly in force; s. 31 not in force at Royal Assent see s. 150; s. 31 in force for certain purposes at 13.11.1996 by S.I. 1996/2842, **art. 2**; s. 31 in force insofar as not already in force at 17.12.1996 by S.I. 1996/2842, **art. 3**

32 Apportionment in case of tenants' application for common parts grant.

F14

Textual Amendments

F14 S. 32 repealed (19.7.2003) by The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860), arts. 1(3), 11(1), 15, **Sch. 3 para. 13**, **Sch. 6** (with art. 11(2))

33 Power to specify maximum amount of grant.

- (1) The Secretary of State may, if he thinks fit, by order specify a maximum amount or a formula for calculating a maximum amount of grant which a local housing authority may pay in respect of an application for a grant.
- (2) An order under this section may make different provision for ^{F15} . . . different circumstances.
- (3) ^{F16}
- (4) An authority may not ^{F17} . . . pay an amount of grant in excess of a specified maximum amount.

Textual Amendments

F15 Words in s. 33(2) repealed (19.7.2003) by The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860), arts. 1(3), 11(1), 15, **Sch. 3 para. 14(a)**, **Sch. 6** (with art. 11(2))

F16 S. 33(3) repealed (19.7.2003) by The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860), arts. 1(3), 11(1), 15, **Sch. 3 para. 14(b)**, **Sch. 6** (with art. 11(2))

F17 Words in s. 33(4) repealed (19.7.2003) by The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860), arts. 1(3), 11(1), 15, **Sch. 3 para. 14(c)**, **Sch. 6** (with art. 11(2))

Commencement Information

I3 S. 33 wholly in force; s. 33 not in force at Royal Assent see s. 150; s. 33 in force for certain purposes at 11.9.1996 by S.I. 1996/2352, **art. 2(2)**; s. 33 in force insofar as not already in force at 17.12.1996 by S.I. 1996/2842, **art. 3**

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