
STATUTORY INSTRUMENTS

1995 No. 839

HOUSING, ENGLAND AND WALES

The Housing Renovation etc. Grants (Prescribed Forms and Particulars) (Amendment) Regulations 1995

| | | |
|-------------------------------|---------|------------------------|
| <i>Made</i> | - - - - | <i>20th March 1995</i> |
| <i>Laid before Parliament</i> | | <i>24th March 1995</i> |
| <i>Coming into force</i> | - - | <i>17th April 1995</i> |

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred upon them by sections 102(2) and (4), 137(2), 138(1)(1) and 190(1) of the Local Government and Housing Act 1989(2) and of all other powers enabling them in that behalf, hereby make the following Regulations—

Citation and commencement

1. These Regulations may be cited as the Housing Renovation etc. Grants (Prescribed Forms and Particulars) (Amendment) Regulations 1995 and shall come into force on 17th April 1995.

Amendment of the principal Regulations

2. Schedule 1 to the Housing Renovation etc. Grants (Prescribed Forms and Particulars) Regulations 1994(3) is amended—

- (a) as regards Form 1 (application for renovation grant), as mentioned in Schedule 1;
- (b) as regards Form 2 (application for disabled facilities grant), as mentioned in Schedule 2;
- (c) as regards Form 3 (application for common parts grant), as mentioned in Schedule 3; and
- (d) as regards Form 4 (application for HMO grant), as mentioned in Schedule 4.

Application

3.—(1) Subject to paragraph (2), these Regulations shall not have effect in relation to applications for grant made before 17th April 1995.

(1) See the definition of “prescribed”.
(2) 1989 c. 42.
(3) S.I. 1994/565.

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(2) Where, in relation to any pending application made after 12th April 1995 and before 17th April 1995, the relevant person is not entitled to a disability premium or higher pensioner premium within the meaning of Part III of Schedule 1 to the Housing Renovation etc. Grants (Reduction of Grant) Regulations 1994⁽⁴⁾ but would have been so entitled had the application been made on 17th April 1995, for the purposes of that relevant person's entitlement to a disability premium or higher pensioner premium his application shall be treated as if it had been made on 17th April 1995.

Signed by authority of the Secretary of State

14th March 1995

David Curry
Minister of State,
Department of the Environment

20th March 1995

John Redwood
Secretary of State for Wales

(4) S.I. [1994/648](#), amended by S.I. [1995/838](#).

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SCHEDULE 1

Regulation 2(a)

AMENDMENTS TO FORM 1

1. In note A in the reference to Part 3, for “financial information from landlords” substitute “information from landlords and charities and in respect of ecclesiastical property”.

2. After note K, insert—

“L. Payment of grant can be made only against an invoice, demand or receipt for payment for the works which is acceptable to the Council. An invoice given by you or a member of your family is not acceptable.”.

3. In question 3.11, for “(if no for both, go to 3.13)” substitute “(if no for both, go to 3.12A)”.

4. After question 3.12, insert—

“3.12A Have you been incapable of work, or treated as incapable of work, for at least the last 364 days continuously? **Note 27A**

Yes ☐ (Go to 3.12B)

No ☐ (Go to 3.12C)

3.12B Please give details including dates:

.....

3.12C If you are terminally ill, have you been incapable of work, or treated as incapable of work, for at least the last 196 days continuously? **Note 27B**

Yes ☐ (Go to 3.12D)

No ☐ (Go to 3.13)

3.12D Please give details including dates:

.....”.

5. In question 3.15, insert in the appropriate places—

“Long-term incapacity benefit

You ☐ ☐ **Note 29A**

Your partner ☐ ☐ ”; and **Note 29B**

“Short-term incapacity benefit:

— equal to the long-term rate

You ☐ ☐

Your partner ☐ ☐

— higher than the long-term rate

You ☐ ☐

Your partner ☐ ☐ ”.

6. In question 3.43, insert in the appropriate places—

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“Serviceman’s widow’s supplementary pension **Note 45A**
£ ”;
“Widow’s pension at the supplementary rate under the Personal Injuries (Civilians) Scheme **Note 45B**
£ ”; and
“Widow’s payment under the Dispensing Instruments **Note 45C**
£ ”.

7. After question 3.45, insert—

“3.45A If you or your partner answered “Yes” to the part of question 3.45 which asks about invalid care allowance, has that allowance been, or will it be, paid to you or your partner in respect of a period before the date of the award?

| | | | | | | |
|--------------|-----|--------------------------|----------------------------------|----|--------------------------|------------------------------|
| You | Yes | <input type="checkbox"/> | (if yes for either, go to 3.45B) | No | <input type="checkbox"/> | (if no for both, go to 3.46) |
| Your partner | Yes | <input type="checkbox"/> | | No | <input type="checkbox"/> | |

3.45B Please give details including dates:

..... ”.

8. In question 3.47—

- (a) against the entry for “Income from tenants” insert **“Note 47A”**; and
- (b) after “Parent’s or partner’s contribution to student grant” insert “(whether or not paid)”.

9. In questions 3.46, 3.48, 3.50, and 3.51, after “you or your partner” insert “(or you and your partner jointly)”.

10. In question 3.49, after “savings or other investments” insert “(both individually and jointly owned)”.

11. In question 3.52, after “give details of” insert “individually and jointly owned”.

12. For question 3.53 substitute—

“Contributions to student grants

3.53 Do you or your partner make, or are either of you treated as making, a contribution in respect of a student grant for a son, daughter or partner?

| | | |
|-----|--------------------------|-----------------|
| Yes | <input type="checkbox"/> | |
| No | <input type="checkbox"/> | (Go to 3.54A)”. |

13. After question 3.54, insert—

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"Relevant child care charges

3.54A Do you pay for the care of any child named in question 3.22 above who is under the age of 11 years?

Yes ☐ (Go to 3.54B)

No ☐ (Go to the **Declaration** at the end of this section)

3.54B Do one or more of the following apply?

The child, or one or more of the children, is cared for by a child minder registered under the Children Act 1989

Yes ☐ No ☐

The child, or one or more of the children, is aged 8 and over but under 11 and the care is provided out of school hours by a school on school premises or by a local authority

☐ ☐

The care is provided by a child care scheme operating on Crown property where registration under the Children Act 1989 is not required

☐ ☐

(If yes for one or more, go to 3.54C)

(If no for all, go to the **Declaration** at the end of this section)

3.54C Are you a lone parent and engaged in remunerative work?

Yes ☐ (Go to 3.54G)

No ☐

3.54D Are both you and your partner engaged in remunerative work?

Yes ☐ (Go to 3.54G)

No ☐

3.54E Are you a member of a couple of whom one is engaged in remunerative work and the other is incapacitated?

Note 53A

Yes ☐ (Go to 3.54F)

No ☐ (Go to the **Declaration** at the end of this section)

3.54F Please state which of you is in remunerative work and which incapacitated, and into which of the categories listed in **Note 53A** your or your partner's incapacity falls:

.....
.....
.....

3.54G Please give the following details for each child whose care you pay for:—

Child's full name:

Date of Birth: / / Age:years

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Name, address and telephone number of person or organisation providing care for the child:

.....

On which days of the week, and during which hours, is child care provided?

.....

Amount charged: £.....

How often paid: ”.

14. For note 9, substitute—

“9. Payment of grant can be made only against an invoice, demand or receipt for payment for the works which is acceptable to the Council. An invoice given by you or a member of your family is not acceptable; for example, where you or a member of your family carry out the works, an invoice (which can be authenticated) from a third party will be needed for the cost of the materials.”.

15. At the end of note 10, add “Payment of grant can be made only against an invoice, demand or receipt for payment for the works which is acceptable to the Council. An invoice given by you or a member of your family is not acceptable; for example, where you or a member of your family carry out the works, an invoice (which can be authenticated) from a third party will be needed for the cost of the materials.”.

16. In note 11, after “ “Charity” ” insert “, which is defined as in section 96 of the Charities Act 1993,”.

17. In note 15—

- (a) after “A tenant’s certificate”, insert “relating to an application for renovation grant”; and
- (b) after “intends to live in the dwelling” insert “or, as the case may be, a flat in the building”.

18. After note 27, insert—

“27A. Where two or more periods of incapacity are separated by a break or breaks each of not more than 56 days, those periods are treated as one continuous period of incapacity.

27B. A person is terminally ill if he suffers from a progressive disease and his death in consequence of that disease can reasonably be expected within 6 months. Where two or more periods of incapacity are separated by a break or breaks each of not more than 56 days, those periods are treated as one continuous period of incapacity.”.

19. For note 29, substitute—

“29. Answer “Yes” to this question if you or your partner ceased to receive this pension because of payment of a retirement pension. (After 12th April 1995 invalidity pension was replaced by long-term incapacity benefit.)

29A. Answer “Yes” to this question if you or your partner ceased to receive long-term incapacity benefit because of payment of a retirement pension. (After 12th April 1995,

long-term incapacity benefit replaced invalidity pension for week 53 onwards of a person's incapacity.).

29B. Answer “Yes” to the appropriate part of this question if you or your partner ceased to receive short-term incapacity benefit at a rate equal to or greater than the long-term rate because of payment of a retirement pension. (After 12th April 1995, short-term incapacity benefit replaced sickness benefit and invalidity benefits for weeks 1 to 52 of a person's incapacity.).”

20. In note 33, for the words after “the last cycle of” to “at the last five weeks” substitute “the child's working hours (if the child has a recognisable cycle) or (if not)”.

21. After note 45, insert—

“**45A.** Supplementary pensions are paid to servicemen's widows, for example: (i) where the widow is aged 40 or over, (ii) where she cannot support herself, or (iii) in respect of certain children of her late husband.

45B. Under this Scheme, pensions and allowances are paid to or in respect of civilians who were injured or killed in the 1939–45 War.

45C. These payments are made to widows of persons killed before 31st March 1973 on service analogous to service in the armed forces of the Crown.”.

22. After note 47, insert—

“**47A.** Do not include payments made to you by a health authority, local authority or voluntary organisation for children cared for by you in your household.”.

23. In note 53, after “self-employed, the assets of your business” insert—

— “capital administered by the courts of England and Wales or Scotland for a person under 18, deriving from an award of damages for personal injury to that person or from compensation for the death of one or both parents.”

24. After note 53, insert—

“**53A.** Answer “Yes” to this question if—

(i) you are, or your partner is, aged less than 60 and one or more of the following conditions is satisfied:

- (a) you receive, or your partner receives, attendance allowance, disability living allowance, disability working allowance, mobility supplement, long-term incapacity benefit, or severe disablement allowance (but in the case of long-term incapacity benefit or severe disablement allowance only where it is paid in respect of the person receiving the benefit or allowance);
- (b) you have, or your partner has, ceased to receive long-term incapacity benefit (or, if paragraph (ii) applies, you or your partner ceased to receive invalidity pension before 13th April 1995) because of payment of a retirement pension and, in the case of your partner, he/she is still a member of your family;
- (c) you were, or your partner was, in receipt of attendance allowance or disability living allowance but payment of benefit has been suspended under section 113(2) of the Social Security Contributions and Benefits Act 1992;
- (d) you are, or your partner is, provided with an invalid carriage or other vehicle or a grant for such a vehicle, under English and Welsh or Scottish legislation;
- (e) you are, or your partner is, a registered blind person or ceased to be so registered not more than 28 weeks ago;

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- (f) (i) you are incapable of work under Part XIIA of the Social Security Contributions and Benefits Act 1992; and
 - you have been incapable of work, or been treated as incapable of work, for at least the last 364 days continuously or, if terminally ill, for at least the last 196 days continuously (include any period of incapacity falling before 13th April 1995 and satisfying condition (f)(ii) below; and disregard any break or breaks each of up to 56 days between periods of incapacity and, once you have completed the qualifying period, any period of employment training or of receipt of a training allowance); or
- (ii) immediately before 13th April 1995 you or your partner, in respect of a continuous period of not less than 28 weeks,
 - provided evidence of incapacity in accordance with regulation 2 of the Social Security (Medical Evidence) Regulations 1976 (or comparable Northern Ireland legislation) as then in force in support of a claim for sickness benefit, invalidity pension or severe disablement allowance within the meaning of sections 31, 33 or 68 of the Social Security Contributions and Benefits Act 1992 (or comparable Northern Ireland legislation) as then in force, provided that an adjudication officer had not determined that you or, as the case may be, your partner was not incapable of work, or
 - were in receipt of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 as then in force;
 - and from 13th April 1995 you have or, as the case may be, your partner has continued to be incapable of work in accordance with Part XIIA of the Social Security Contributions and Benefits Act 1992 continuously (disregard any break or breaks each of up to 56 days between periods of incapability);
- (ii) you are, or your partner is, aged less than 80 but not less than 60 and one or more of conditions (a) to (f) in paragraph (i) is satisfied (but in the case of condition (f)(i), once you have completed the qualifying period, any period of employment training or of receipt of a training allowance may not be disregarded); or
- (iii) paragraph (i) or (ii) would apply to your partner, but for your partner being treated as capable of work by a determination under section 171E of the Social Security Contributions and Benefits Act 1992; or
- (iv) you have been, or been treated as, incapable of work under Part XIIA of the Social Security Contributions and Benefits Act 1992 for a continuous period of at least 196 days (disregard any break or breaks each of up to 56 days between periods of incapacity); or
- (v) one or more of the following (including Northern Ireland equivalents) is payable for you or your partner:
 - (a) long-term incapacity benefit;
 - (b) short-term incapacity benefit at the higher rate;
 - (c) attendance allowance;
 - (d) severe disablement allowance;
 - (e) disability living allowance;
 - (f) increase of disablement pension for constant attendance;

- (g) a pension increase under a war pension scheme or industrial injuries scheme for attendance, constant attendance, or which is analogous to disability living allowance; or
- (vi) one of (v)(b), (e), (f) or (g) was payable on account of your or your partner's incapacity but ceased to be payable as a result of you or he/she receiving free medical or other treatment as an in-patient in an NHS hospital or similar institution or under arrangements made by an NHS body or the Secretary of State (please note: a person serving a sentence of imprisonment or of detention in a youth custody institution does not count as an "in-patient"); or
- (vii) you or your partner are provided with an invalid carriage or other vehicle or receive an allowance for such a vehicle (including where the carriage, vehicle or allowance is provided under Northern Ireland legislation)."

SCHEDULE 2

Regulation 2(b)

AMENDMENTS TO FORM 2

1. In note A in the reference to Part 3, for "financial information from landlords" substitute "information from landlords and charities and in respect of ecclesiastical property".

2. After note J, insert—

"K. Payment of grant can be made only against an invoice, demand or receipt for payment for the works which is acceptable to the Council. An invoice given by you or a member of your family is not acceptable."

3. In question 3.11, for "(if no for both, go to 3.13)" substitute "(if no for both, go to 3.12A)".

4. After question 3.12, insert—

"3.12A Have you been incapable of work, or treated as incapable of work, for at least the last 364 days continuously? Note 26A

Yes ☐ (Go to 3.12B)
No ☐ (Go to 3.12C)

3.12B Please give details including dates:

.....
3.12C If you are terminally ill, have you been incapable of work, or treated as incapable of work, for at least the last 196 days continuously? Note 26B

Yes ☐ (Go to 3.12D)
No ☐ (Go to 3.13)

3.12D Please give details including dates:

..... "

5. In question 3.15, insert in the appropriate places—

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| | | | | |
|----------------------------------|--------------|--------------------------|--------------------------|----------|
| “Long-term incapacity benefit | You | <input type="checkbox"/> | <input type="checkbox"/> | Note 28A |
| | Your partner | <input type="checkbox"/> | <input type="checkbox"/> | |
| ”; and | | | | |
| “Short-term incapacity benefit: | | | | Note 28B |
| — equal to the long-term rate | You | <input type="checkbox"/> | <input type="checkbox"/> | |
| | Your partner | <input type="checkbox"/> | <input type="checkbox"/> | |
| — higher than the long-term rate | You | <input type="checkbox"/> | <input type="checkbox"/> | |
| | Your partner | <input type="checkbox"/> | <input type="checkbox"/> | ”. |

6. In question 3.43, insert in the appropriate places—

| | | |
|---|---------|----------|
| “Serviceman’s widow’s supplementary pension | | Note 44A |
| £ | £ | ”; |
| “Widow’s pension at the supplementary rate under the Personal Injuries (Civilians) Scheme | | Note 44B |
| £ | £ | ”; and |
| “Widow’s payment under the Dispensing Instruments | | Note 44C |
| £ | £ | ”. |

7. After question 3.45, insert—

“3.45A If you or your partner answered “Yes” to the part of question 3.45 which asks about invalid care allowance, has that allowance been, or will it be, paid to you or your partner in respect of a period before the date of the award?

| | | | | | | |
|--------------|-----|--------------------------|----------------------------------|----|--------------------------|------------------------------|
| You | Yes | <input type="checkbox"/> | (if yes for either, go to 3.45B) | No | <input type="checkbox"/> | (if no for both, go to 3.46) |
| Your partner | Yes | <input type="checkbox"/> | | No | <input type="checkbox"/> | |

3.45B Please give details including dates:

..... ”.

8. In question 3.47—

- (a) against the entry for “Income from tenants” insert “**Note 46A**”; and
- (b) after “Parent’s or partner’s contribution to student grant” insert “(whether or not paid)”.

9. In questions 3.46, 3.48, 3.50 and 3.51, after “you or your partner” insert “(or you and your partner jointly)”.

10. In question 3.49, after “savings or other investments” insert “(both individually and jointly owned)”.

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11. In question 3.52, after “give details of” insert “individually and jointly owned”.

12. For question 3.53 substitute—

“Contributions to student grants

3.53 Do your or your partner make, or are either of you treated as making, a contribution in respect of a student grant for a son, daughter or partner?

Yes ☐
No ☐ (Go to 3.54A)”.

13. After question 3.54, insert—

“Relevant child care charges

3.54A Do you pay for the care of any child named in question 3.22 above who is under the age of 11 years?

Yes ☐ (Go to 3.54B)
No ☐ (Go to the **Declaration** at the end of this section)

3.54B Do one or more of the following apply?

| | Yes | No |
|--|--------------------------|--------------------------|
| The child, or one or more of the children, is cared for by a child minder registered under the Children Act 1989 | <input type="checkbox"/> | <input type="checkbox"/> |
| The child, or one or more of the children, is aged 8 and over but under 11 and the care is provided out of school hours by a school on school premises or by a local authority | <input type="checkbox"/> | <input type="checkbox"/> |
| The care is provided by a child care scheme operating on Crown property where registration under the Children Act 1989 is not required | <input type="checkbox"/> | <input type="checkbox"/> |

(If yes for one or more, go to 3.54C)

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(If no for all, go to the **Declaration** at the end of this section)

3.54C Are you a lone parent and engaged in remunerative work?

Yes ☐ (Go to 3.54G)

No ☐

3.54D Are both you and your partner engaged in remunerative work?

Yes ☐ (Go to 3.54G)

No ☐

3.54E Are you a member of a couple of whom one is engaged in remunerative work and the other is incapacitated? **Note 52A**

Yes ☐ (Go to 3.54F)

No ☐ (Go to the **Declaration** at the end of this section)

3.54F Please state which of you is in remunerative work and which incapacitated, and into which of the categories listed in **Note 52A** your or your partner's incapacity falls:

.....

.....

.....

3.54G Please give the following details for each child whose care you pay for:—

Child's full name:

Date of Birth: / / Age:years

Name, address and telephone number of person or organisation providing care for the child:

.....

.....

.....

On which days of the week, and during which hours, is child care provided? ..

.....

.....

Amount charged: £

How often paid: ”

14. For note 9, substitute—

“9. Payment of grant can be made only against an invoice, demand or receipt for payment for the works which is acceptable to the Council. An invoice given by you or a member of your family is not acceptable; for example, where you or a member of your family carry

out the works, an invoice (which can be authenticated) from a third party will be needed for the cost of the materials.”.

15. At the end of note 10, add “Payment of grant can be made only against an invoice, demand or receipt for payment for the works which is acceptable to the Council. An invoice given by you or a member of your family is not acceptable; for example, where you or a member of your family carry out the works, an invoice (which can be authenticated) from a third party will be needed for the cost of the materials.”.

16. In note 11, after “ “Charity” ” insert “,which is defined as in section 96 of the Charities Act 1993,”.

17. In note 14—

(a) for—

— “the applicant is a tenant of the dwelling and

— the applicant is required by the terms of his or her tenancy to carry out the works for which grant is sought and”

substitute—

— “the application is a tenant’s application for a disabled facilities grant, and

— the applicant is a tenant of the dwelling, and;”

(b) after “intends to live in the dwelling” insert “or, as the case may be, a flat in the building”; and

(c) for “(see Note 14)” substitute “(see Note 15)”.

18. After note 26, insert—

“**26A.** Where two or more periods of incapacity are separated by a break or breaks each of not more than 56 days, those periods are treated as one continuous period of incapacity.

26B. A person is terminally ill if he suffers from a progressive disease and his death in consequence of that disease can reasonably be expected within 6 months. Where two or more periods of incapacity are separated by a break or breaks each of not more than 56 days, those periods are treated as one continuous period of incapacity.”.

19. For note 28, substitute—

“**28.** Answer “Yes” to this question if you or your partner ceased to receive this pension because of payment of a retirement pension. (After 12th April 1995 invalidity pension was replaced by long-term incapacity benefit.)

28A. Answer “Yes” to this question if you or your partner ceased to receive long-term incapacity benefit because of payment of a retirement pension. (After 12th April 1995, long-term incapacity benefit replaced invalidity pension for week 53 onwards of a person’s incapacity.).

28B. Answer “Yes” to the appropriate part of this question if you or your partner ceased to receive short-term incapacity benefit at a rate equal to or greater than the long-term rate because of payment of a retirement pension. (After 12th April 1995, short-term incapacity benefit replaced sickness benefit and invalidity benefits for weeks 1 to 52 of a person’s incapacity.).”

20. In note 32, for the words after “the last cycle of” to “at the last five weeks” substitute “the child’s working hours (if the child has a recognisable cycle) or (if not)”.

21. After note 44, insert—

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“44A. Supplementary pensions are paid to servicemen’s widows, for example: (i) where the widow is aged 40 or over, (ii) where she cannot support herself, or (iii) in respect of certain children of her late husband.

44B. Under this Scheme, pensions and allowances are paid to or in respect of civilians who were injured or killed in the 1939–45 War.

44C. These payments are made to widows of persons killed before 31st March 1973 on service analogous to service in the armed forces of the Crown.”.

22. After note 46, insert—

“46A. Do not include payments made to you by a health authority, local authority or voluntary organisation for children cared for by you in your household.”.

23. In note 52, after “self-employed, the assets of your business” insert—

— “capital administered by the courts of England and Wales or Scotland for a person under 18, deriving from an award of damages for personal injury to that person or from compensation for the death of one or both parents.”

24. After note 52, insert—

“52A. Answer “Yes” to this question if—

(i) you are, or your partner is, aged less than 60 and one or more of the following conditions is satisfied:

- (a) you receive, or your partner receives, attendance allowance, disability living allowance, disability working allowance, mobility supplement, long-term incapacity benefit, or severe disablement allowance (but in the case of long-term incapacity benefit or severe disablement allowance only where it is paid in respect of the person receiving the benefit or allowance);
- (b) you have, or your partner has, ceased to receive long-term incapacity benefit (or, if paragraph (ii) applies, you or your partner ceased to receive invalidity pension before 13th April 1995) because of payment of a retirement pension and, in the case of your partner, he/she is still a member of your family;
- (c) you were, or your partner was, in receipt of attendance allowance or disability living allowance but payment of benefit has been suspended under section 113(2) of the Social Security Contributions and Benefits Act 1992;
- (d) you are, or your partner is, provided with an invalid carriage or other vehicle or a grant for such a vehicle, under English and Welsh or Scottish legislation;
- (e) you are, or your partner is, a registered blind person or ceased to be so registered not more than 28 weeks ago;
- (f) (i) you are incapable of work under Part XIIA of the Social Security Contributions and Benefits Act 1992; and

you have been incapable of work, or been treated as incapable of work, for at least the last 364 days continuously or, if terminally ill, for at least the last 196 days continuously (include any period of incapacity falling before 13th April 1995 and satisfying condition (f)(ii) below; and disregard any break or breaks each of up to 56 days between periods of incapacity and, once you have completed the qualifying period, any period of employment training or of receipt of a training allowance); or

(ii) immediately before 13th April 1995 you or your partner, in respect of a continuous period of not less than 28 weeks,

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- provided evidence of incapacity in accordance with regulation 2 of the Social Security (Medical Evidence) Regulations 1976 (or comparable Northern Ireland legislation) as then in force in support of a claim for sickness benefit, invalidity pension or severe disablement allowance within the meaning of sections 31, 33 or 68 of the Social Security Contributions and Benefits Act 1992 (or comparable Northern Ireland legislation) as then in force, provided that an adjudication officer had not determined that you or, as the case may be, your partner was not incapable of work, or
 - were in receipt of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 as then in force;
and from 13th April 1995 you have or, as the case may be, your partner has continued to be incapable of work in accordance with Part XIIA of the Social Security Contributions and Benefits Act 1992 continuously (disregard any break or breaks each of up to 56 days between periods of incapability);
- (ii) you are, or your partner is, aged less than 80 but not less than 60 and one or more of conditions (a) to (f) in paragraph (i) is satisfied (but in the case of condition (f)(i), once you have completed the qualifying period, any period of employment training or of receipt of a training allowance may not be disregarded); or
- (iii) paragraph (i) or (ii) would apply to your partner, but for your partner being treated as capable of work by a determination under section 171E of the Social Security Contributions and Benefits Act 1992; or
- (iv) you have been, or been treated as, incapable of work under Part XIIA of the Social Security Contributions and Benefits Act 1992 for a continuous period of at least 196 days (disregard any break or breaks each of up to 56 days between periods of incapacity); or
- (v) one or more of the following (including Northern Ireland equivalents) is payable for you or your partner:
- (a) long-term incapacity benefit;
 - (b) short-term incapacity benefit at the higher rate;
 - (c) attendance allowance;
 - (d) severe disablement allowance;
 - (e) disability living allowance;
 - (f) increase of disablement pension for constant attendance;
 - (g) a pension increase under a war pension scheme or industrial injuries scheme for attendance, constant attendance, or which is analogous to disability living allowance; or
- (vi) one of (v)(b), (e), (f) or (g) was payable on account of your or your partner's incapacity but ceased to be payable as a result of you or he/she receiving free medical or other treatment as an in-patient in an NHS hospital or similar institution or under arrangements made by an NHS body or the Secretary of State (please note: a person serving a sentence of imprisonment or of detention in a youth custody institution does not count as an "in-patient"); or
- (vii) you or your partner are provided with an invalid carriage or other vehicle or receive an allowance for such a vehicle (including where the carriage, vehicle or allowance is provided under Northern Ireland legislation)."

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SCHEDULE 3

Regulation 2(c)

AMENDMENTS TO FORM 3

1. In note A in the references to Part 3, for “financial information from landlords” substitute “information from landlords and charities and in respect of ecclesiastical property”.

2. After note M, insert—

“N. Payment of grant can be made only against an invoice, demand or receipt for payment for the works which is acceptable to the Council. An invoice given by you or a member of your family is not acceptable.”.

3. In question 3.9, for “(if no for both, go to 3.11)” substitute “(if no for both, go to 3.10A)”.

4. After question 3.10, insert—

“3.10A Have you been incapable of work, or treated as incapable of work, for at least the last 364 days continuously? Note 26A

Yes ☐ (Go to 3.10B)

No ☐ (Go to 3.10C)

3.10B Please give details including dates:

.....

3.10C If you are terminally ill, have you been incapable of work, or been treated as incapable of work, for at least the last 196 days continuously? Note 26B

Yes ☐ (Go to 3.10D)

No ☐ (Go to 3.11)

3.10D Please give details including dates:

..... ”

5. In question 3.13, insert in the appropriate places—

“Long-term incapacity benefit

You ☐ ☐ Note 28A

Your partner ☐ ☐ ”;and

“Short-term incapacity benefit:

Note 28B

— equal to the long-term rate

You ☐ ☐

Your partner ☐ ☐

— higher than the long-term rate

You ☐ ☐

Your partner ☐ ☐ ”.

6. In question 3.41, insert in the appropriate places—

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“Serviceman’s widow’s supplementary pension Note 44A
£ ”;
“Widow’s pension at the supplementary rate under the Personal Injuries (Civilians) Scheme Note 44B
£ ”; and
“Widow’s payment under the Dispensing Instruments Note 44C
£ ”.

7. After question 3.43, insert —

“3.43A If you or your partner answered “Yes” to the part of question 3.43 which asks about invalid care allowance, has that allowance been, or will it be, paid to you or your partner in respect of a period before the date of the award?

| | | | | |
|--------------|------------------------------|----------------------------------|-----------------------------|------------------------------|
| You | Yes <input type="checkbox"/> | (if yes for either, go to 3.43B) | No <input type="checkbox"/> | (if no for both, go to 3.44) |
| Your partner | Yes <input type="checkbox"/> | | No <input type="checkbox"/> | |

3.43B Please give details including dates:

..... ”.

8. In question 3.45—

- (a) against the entry for “Income from tenants” insert “**Note 46A**”; and
- (b) after “Parent’s or partner’s contribution to student grant” insert “(whether or not paid)”.

9. In questions 3.44, 3.46, 3.48 and 3.49, after “you or your partner” insert “(or you and your partner jointly)”.

10. In question 3.47, after “savings or other investments” insert “(both individually and jointly owned)”.

11. In question 3.50, after “give details of” insert “individually and jointly owned”.

12. For question 3.51 substitute—

“Contributions to student grants

3.51 Do you or your partner make, or are either of you treated as making, a contribution in respect of a student grant for a son, daughter or partner?

| | | |
|-----|--------------------------|--------------------|
| Yes | <input type="checkbox"/> | |
| No | <input type="checkbox"/> | (Go to the 3.52A)” |

13. After question 3.52, insert—

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“Relevant child care charges

3.52A Do you pay for the care of any child named in question 3.20 above who is under the age of 11 years?

| | | |
|-----|--------------------------|---|
| Yes | <input type="checkbox"/> | (Go to 3.52B) |
| No | <input type="checkbox"/> | (Go to the Declaration at the end of this section) |

3.52B Do one or more of the following apply?

| | Yes | No |
|--|--------------------------|--------------------------|
| The child, or one or more of the children, is cared for by a child minder registered under the Children Act 1989 | <input type="checkbox"/> | <input type="checkbox"/> |
| The child, or one or more of the children, is aged 8 and over but under 11 and the care is provided out of school hours by a school on school premises or by a local authority | <input type="checkbox"/> | <input type="checkbox"/> |
| The care is provided by a child care scheme operating on Crown property where registration under the Children Act 1989 is not required | <input type="checkbox"/> | <input type="checkbox"/> |

(If yes for one or more, go to 3.52C)

(If no for all, go to the **Declaration** at the end of this section)

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3.52C Are you a lone parent and engaged in remunerative work?

Yes ☐ (Go to 3.52G)
No ☐

3.52D Are both you and your partner engaged in remunerative work?

Yes ☐ (Go to 3.52G)
No ☐

3.52E Are you a member of a couple of whom one is engaged in remunerative work and the other is incapacitated?

Note 52A

Yes ☐ (Go to 3.52F)
No ☐ (Go to the Declaration at the end of this section)

3.52F Please state which of you is in remunerative work and which incapacitated, and into which of the categories listed in Note 52A your or your partner's incapacity falls:

.....
.....
.....

3.52G Please give the following details for each child whose care you pay for:—

Child's full name:

Date of Birth: / / **Age:**years

Name, address and telephone number of person or organisation providing care for the child:

.....
.....
.....

On which days of the week, and during which hours, is child care provided?

.....
.....

Amount charged: £

How often paid: ”.

14. For note 11, substitute—

“11. Payment of grant can be made only against an invoice, demand or receipt for payment for the works which is acceptable to the Council. An invoice given by you or a member of your family is not acceptable; for example, where you or a member of your family carry out the works, an invoice (which can be authenticated) from a third party will be needed for the cost of the materials.”.

15. At the end of note 12, add “Payment of grant can be made only against an invoice, demand or receipt for payment for the works which is acceptable to the Council. An invoice given by you or a member of your family is not acceptable; for example, where you or a member of your family

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carry out the works, an invoice (which can be authenticated) from a third party will be needed for the cost of the materials.”.

16. After note 26, insert—

“**26A.** Where two or more periods of incapacity are separated by a break or breaks each of not more than 56 days, those periods are treated as one continuous period of incapacity.

26B. A person is terminally ill if he suffers from a progressive disease and his death in consequence of that disease can reasonably be expected within 6 months. When two or more periods of incapacity are separated by a break or breaks each of not more than 56 days, those periods are treated as one continuous period of incapacity.”.

17. For note 28, substitute—

“**28.** Answer “Yes” to this question if you or your partner ceased to receive this pension because of payment of a retirement pension. (After 12th April 1995 invalidity pension was replaced by long-term incapacity benefit.)

28A. Answer “Yes” to this question if you or your partner ceased to receive long-term incapacity benefit because of payment of a retirement pension. (After 12th April 1995, long-term incapacity benefit replaced invalidity pension for week 53 onwards of a person’s incapacity.).

28B. Answer “Yes” to the appropriate part of this question if you or your partner ceased to receive short-term incapacity benefit at a rate equal to or greater than the long-term rate because of payment of a retirement pension. (After 12th April 1995, short-term incapacity benefit replaced sickness benefit and invalidity benefit for weeks 1 to 52 of a person’s incapacity.)”.

18. In note 32, for the words after “the last cycle of” to “at the last five weeks” substitute “the child’s working hours (if the child has a recognisable cycle) or (if not)”.

19. After note 44, insert—

“**44A.** Supplementary pensions are paid to servicemen’s widows, for example: (i) where the widow is aged 40 or over, (ii) where she cannot support herself, or (iii) in respect of certain children of her late husband.

44B. Under this Scheme, pensions and allowances are paid to or in respect of civilians who were injured or killed in the 1939–45 War.

44C. These payments are made to widows of persons killed before 31st March 1973 on service analogous to service in the armed forces of the Crown.”.

20. After note 46, insert—

“**46A.** Do not include payments made to you by a health authority, local authority or voluntary organisation for children cared for by you in your household.”.

21. In note 52, after “self-employed, the assets of your business” insert—

— “capital administered by the courts of England and Wales or Scotland for a person under 18, deriving from an award of damages for personal injury to that person or from compensation for the death of one or both parents”.

22. After note 52, insert—

“**52A.** Answer “Yes” to this question if—

(i) you are, or your partner is, aged less than 60 and one or more of the following conditions is satisfied:

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- (a) you receive, or your partner receives, attendance allowance, disability living allowance, disability working allowance, mobility supplement, long-term incapacity benefit, or severe disablement allowance (but in the case of long-term incapacity benefit or severe disablement allowance only where it is paid in respect of the person receiving the benefit or allowance);
- (b) you have, or your partner has, ceased to receive long-term incapacity benefit (or, if paragraph (ii) applies, you or your partner ceased to receive invalidity pension before 13th April 1995) because of payment of a retirement pension and, in the case of your partner, he/she is still a member of your family;
- (c) you were, or your partner was, in receipt of attendance allowance or disability living allowance but payment of benefit has been suspended under section 113(2) of the Social Security Contributions and Benefits Act 1992;
- (d) you are, or your partner is, provided with an invalid carriage or other vehicle or a grant for such a vehicle, under English and Welsh or Scottish legislation;
- (e) you are, or your partner is, a registered blind person or ceased to be so registered not more than 28 weeks ago;
- (f) (i) you are incapable of work under Part XIIA of the Social Security Contributions and Benefits Act 1992; and
 - you have been incapable of work, or been treated as incapable of work, for at least the last 364 days continuously or, if terminally ill, for at least the last 196 days continuously (include any period of incapacity falling before 13th April 1995 and satisfying condition (f)(ii) below; and disregard any break or breaks each of up to 56 days between periods of incapacity and, once you have completed the qualifying period, any period of employment training or of receipt of a training allowance); or
 - (ii) immediately before 13th April 1995 you or your partner, in respect of a continuous period of not less than 28 weeks,
 - provided evidence of incapacity in accordance with regulation 2 of the Social Security (Medical Evidence) Regulations 1976 (or comparable Northern Ireland legislation) as then in force in support of a claim for sickness benefit, invalidity pension or severe disablement allowance within the meaning of sections 31, 33 or 68 of the Social Security Contributions and Benefits Act 1992 (or comparable Northern Ireland legislation) as then in force, provided that an adjudication officer had not determined that you or, as the case may be, your partner was not incapable of work, or
 - were in receipt of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 as then in force;
 - and from 13th April 1995 you have or, as the case may be, your partner has continued to be incapable of work in accordance with Part XIIA of the Social Security Contributions and Benefits Act 1992 continuously (disregard any break or breaks each of up to 56 days between periods of incapability);
- (ii) you are, or your partner is, aged less than 80 but not less than 60 and one or more of conditions (a) to (f) in paragraph (i) is satisfied (but in the case of condition (f)(i), once you have completed the qualifying period, any period of employment training or of receipt of a training allowance may not be disregarded); or

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(iii) paragraph (i) or (ii) would apply to your partner, but for your partner being treated as capable of work by a determination under section 171E of the Social Security Contributions and Benefits Act 1992; or

(iv) you have been, or been treated as, incapable of work under Part XIIA of the Social Security Contributions and Benefits Act 1992 for a continuous period of at least 196 days (disregard any break or breaks each of up to 56 days between periods of incapacity); or

(v) one or more of the following (including Northern Ireland equivalents) is payable for you or your partner:

- (a) long-term incapacity benefit;
- (b) short-term incapacity benefit at the higher rate;
- (c) attendance allowance;
- (d) severe disablement allowance;
- (e) disability living allowance;
- (f) increase of disablement pension for constant attendance;
- (g) a pension increase under a war pension scheme or industrial injuries scheme for attendance, constant attendance, or which is analogous to disability living allowance; or

(vi) one of (v)(b), (e), (f) or (g) was payable on account of your or your partner's incapacity but ceased to be payable as a result of you or he/she receiving free medical or other treatment as an in-patient in an NHS hospital or similar institution or under arrangements made by an NHS body or the Secretary of State (please note: a person serving a sentence of imprisonment or of detention in a youth custody institution does not count as an "in-patient"); or

(vii) you or your partner are provided with an invalid carriage or other vehicle or receive an allowance for such a vehicle (including where the carriage, vehicle or allowance is provided under Northern Ireland legislation)."

19. In note 58, after " "Charity" " insert ", which is defined as in section 96 of the Charities Act 1993,".

SCHEDULE 4

Regulation 2(d)

AMENDMENTS TO FORM 4

1. In note A in the reference to Part 3, for " , for some landlords, about financial resources" substitute "asks for information from landlords and charities and in respect of ecclesiastical property".

2. After note G, insert—

"**H.** Payment of grant can be made only against an invoice, demand or receipt for payment for the works which is acceptable to the Council. An invoice given by you or a member of your family is not acceptable."

3. For note 11, substitute—

"**11.** Payment of grant can be made only against an invoice, demand or receipt for payment for the works which is acceptable to the Council. An invoice given by you or a member of your family is not acceptable; for example, where you or a member of your

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family carry out the works, an invoice (which can be authenticated) from a third party will be needed for the cost of the materials.”.

4. At the end of note 12, add “Payment of grant can be made only against an invoice, demand or receipt for payment for the works which is acceptable to the Council. An invoice given by you or a member of your family is not acceptable; for example, where you or a member of your family carry out the works, an invoice (which can be authenticated) from a third party will be needed for the cost of the materials.”.

5. In note 13, after “ “Charity” ” insert “, which is defined as in section 96 of the Charities Act 1993,”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Housing Renovation etc. Grants (Prescribed Forms and Particulars) Regulations 1994 (S.I. [1994/565](#)). Most of the amendments are consequential to amendments made by the Housing Renovation etc. Grants (Reduction of Grant) (Amendment) Regulations 1995 (S.I. [1995/838](#)) to the Housing Renovation etc. Grants (Reduction of Grant) Regulations 1994. There are also minor and drafting amendments.

Schedule 1 to the Regulations amends Form 1 (application for renovation grant); Schedule 2 amends Form 2 (application for disabled facilities grant); Schedule 3 amends Form 3 (application for common parts grant); and Schedule 4 amends Form 4 (application for HMO grant).

Regulation 3(1) stops the Regulations applying to applications made before 17th April 1995 (except as specified in regulation 3(2)).