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STATUTORY INSTRUMENTS

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**1996 No. 2888**

**HOUSING, ENGLAND AND WALES**

**The Disabled Facilities Grants and Home Repair Assistance (Maximum Amounts) Order 1996**

<i>Made</i>	- - - -	<i>18th November 1996</i>
<i>Laid before Parliament</i>		<i>26th November 1996</i>
<i>Coming into force</i>	- -	<i>17th December 1996</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 on them by sections 33, 76(2) and 146 of the Housing Grants, Construction and Regeneration Act 1996(1) and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation and commencement**

1. This Order may be cited as the Disabled Facilities Grants and Home Repair Assistance (Maximum Amounts) Order 1996 and shall come into force on 17th December 1996.

**Maximum amount of disabled facilities grant**

2. Subject to article 3, where a local housing authority must approve an application for disabled facilities grant by virtue of section 23(1) of the Housing Grants, Construction and Regeneration Act 1996 (mandatory disabled facilities grant), the maximum amount which the authority may pay in respect of the application shall be —

- (a) £20,000 if the dwelling or building is in England, and
- (b) £24,000 if it is in Wales.

**Grant in excess of maximum**

3. In a case falling within article 2, the local housing authority may, if they think fit, pay a further amount in excess of the maximum provided for in that article.

#### **Home repair assistance — maximum amount for one application**

4. Subject to article 5, the total amount or value of home repair assistance which may be given on any one application shall be calculated as follows —

- (a) if the assistance is wholly or partly in the form of the provision of materials, the total value of those materials shall not exceed £2,000; and
- (b) if the assistance is wholly or partly in the form of a grant, the total amount of the grant shall be the lesser of —
  - (i) a sum equal to the cost shown to the authority to have been reasonably incurred by the applicant in respect of the works; and
  - (ii) £2,000 less the value of any assistance given in the form of the provision of materials.

#### **Home repair assistance: maximum amount in any three year period**

5. The total amount or value of home repair assistance that may be given in respect of the same dwelling, house-boat or mobile home in any period of three years is £4,000.

#### **Application**

6. This Order shall not have effect in relation to an application for a grant which is made before this Order comes into force in a case where —

- (a) the application is for a disabled facilities grant; or
- (b) sections 112 or 113 of the Local Government and Housing Act 1989<sup>(2)</sup> apply to the application.<sup>(3)</sup>

Department of the Environment  
15th November 1996

*David Curry*  
Minister of State,

18th November 1996

*William Hague*  
Secretary of State for Wales

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(2) 1989 c. 42.

(3) See section 102 of the Housing Grants, Construction and Regeneration Act 1996.

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order prescribes the maximum amounts of mandatory disabled facilities grant and home repair assistance which a local housing authority may give under Part I of the Housing Grants, Construction and Regeneration Act 1996 (which replaced Part VIII of the Local Government and Housing Act 1989).

Article 2 specifies the maximum amount for mandatory disabled facilities grant that a local housing authority can be required to pay. Article 3 authorises an authority to pay a further (unlimited) amount of grant on top of the maximum amount of mandatory grant. Article 4 specifies the maximum amount of home repair assistance which may be given on any one application and article 5 the maximum total amount of such assistance which may be given for the same property in any three years. Article 6 contains transitional provisions.