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STATUTORY INSTRUMENTS

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**1998 No. 2998**

**HOUSING, ENGLAND AND WALES**

**The Home Repair Assistance (Extension) Regulations 1998**

*Made* - - - - *3rd December 1998*  
*Laid before Parliament* *10th December 1998*  
*Coming into force* - - *1st January 1999*

The Secretary of State for the Environment, Transport and the Regions, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 79 and 146 of the Housing Grants, Construction and Regeneration Act 1996<sup>(1)</sup> 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 Home Repair Assistance (Extension) Regulations 1998 and shall come into force on 1st January 1999.

**Extension of availability of home repair assistance**

2.—(1) The availability of home repair assistance in relation to a mobile home is extended to the circumstances specified in paragraph (2) of this regulation; and accordingly the local authority are not prevented by section 78(2) of the Act from entertaining applications for such assistance in those circumstances.

(2) The circumstances are where—

- (a) the works in respect of which the application is made are not within paragraph (a) or (b) of the exception specified in section 78(2) of the Act;
- (b) the residence requirement specified in section 78(4) of the Act is not met; and
- (c) the alternative residence requirement specified in paragraph (3) of this regulation is met.

(3) The alternative residence requirement is that the local housing authority are satisfied that the applicant has occupied the mobile home as his only or main residence for a period of at least three years immediately preceding the date of his application for home repair assistance, and—

- (a) he has for that period a right to occupy and station the mobile home on land forming part of the same protected site within the meaning of Part I of the Caravan Sites Act 1968<sup>(2)</sup>; or

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(1) 1996 c. 53.  
(2) 1968 c. 52.

(b) he has an owner's interest in, or is a tenant of, the land on which the mobile home is stationed.

(4) In this regulation "the Act" means the Housing Grants, Construction and Regeneration Act 1996.

### **Amendment of the Home Repair Assistance Regulations 1996**

3. For paragraph 26 of Part III of Schedule 1 to the Home Repair Assistance Regulations 1996(3) (content of application for home repair assistance for mobile homes), substitute the following paragraph—

“26. Where the purpose of the works is not one specified in paragraph 5 or paragraph 14 of Part I, whether—

- (a) the applicant has occupied the mobile home as his only or main residence for a period of at least three years immediately preceding the date of the application;
- (b) the mobile home has for that period been on land forming part of the same protected site within the meaning of the Mobile Homes Act 1983;
- (c) the applicant has for that period a right to occupy and station the mobile home on land forming part of the same protected site within the meaning of Part I of the Caravan Sites Act 1968;
- (d) the applicant has an owner's interest in or is a tenant of the land on which the mobile home is stationed;
- (e) the applicant has occupied the mobile home under an agreement to which the Mobile Homes Act 1983 applies or under a gratuitous licence.”.

Signed by authority of the Secretary of State

*Hilary Armstrong*  
Minister of State,  
Department of the Environment, Transport and  
the Regions

2nd December 1998

*Jon Owen Jones*  
Parliamentary Under Secretary of State for  
Wales, Welsh Office

3rd December 1998

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(3) S.I.1996/2887; to which there are amendments not relevant to these Regulations.

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## EXPLANATORY NOTE

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

These Regulations extend the availability of home repair assistance under the Housing Grants, Construction and Regeneration Act 1996 and make consequential amendments to the Home Repair Assistance Regulations 1996.

Regulation 2 extends the availability of home repair assistance to occupiers of mobile homes on local authority sites for Gypsies and to those who own or are tenants of the land on which their mobile home is stationed.

Regulation 3 makes consequential amendments to the Home Repair Assistance Regulations 1996 in relation to the information to be given in an application for home repair assistance for a mobile home.