
STATUTORY INSTRUMENTS

1992 No. 1725

The Housing (Northern Ireland) Order 1992

PART III

GRANTS

CHAPTER I

GRANTS TOWARDS COST OF IMPROVEMENTS AND REPAIRS, ETC.

Approvals, notification and payment

Approval and refusal of applications

54.—(1) The Executive shall, by notice in writing, notify an applicant for a grant as soon as reasonably practicable, and, in any event, not later than 6 months after the date of the application concerned, whether the application is approved or refused.

(2) Where the Executive decides to approve an application for a grant, it shall determine—

- (a) which of the relevant works, taking into account any variation of the application under Article 46(4)(a) or Article 53(7), are eligible for grant (in this Chapter referred to as “the eligible works”);
- (b) the amount of the expenses which in its opinion are properly to be incurred in the execution of the eligible works;
- (c) the amount of the costs which in its opinion have been or are to be properly incurred with respect to preliminary or ancillary services and charges; and
- (d) the amount of grant it has decided to pay in respect of the eligible works, taking into account sub-paragraphs (b) and (c), paragraph (5) and such of Articles 47 to 53 as may be applicable;

and shall specify in the notice under paragraph (1) the eligible works, the total of the amounts referred to in sub-paragraphs (b) and (c) (in this Chapter referred to as “the estimated expense”) and the amount of the grant.

(3) Where an application for a grant is approved, then, except—

- (a) with the consent of the Department, or
- (b) as provided by Article 56(1),

the Executive may not impose any condition in relation to the approval or making of the grant, whether purporting to operate by way of a condition of the grant, a personal covenant or otherwise.

(4) If, after an application for a grant has been approved, the Executive is satisfied that, owing to circumstances beyond the control of the applicant,—

- (a) the eligible works cannot be, or could not have been, carried out on the basis of the amount of expenses referred to in paragraph (2)(b), or

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- (b) the eligible works cannot be, or could not have been, carried out without carrying out additional works which could not have been reasonably foreseen at the time the application was made,

the Executive may re-determine the estimated expense and, subject to paragraph (5), the amount of the grant.

(5) The Department may, if it thinks fit, by order specify a maximum amount, or a formula for calculating a maximum amount, of grant which the Executive may pay in respect of an application for a grant; and the Executive may not pay any grant in excess of that amount.