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STATUTORY INSTRUMENTS

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**2003 No. 412**

**The Housing (Northern Ireland) Order 2003**

**PART III**

**GRANTS, &c. FOR RENEWAL OF PRIVATE SECTOR HOUSING**

**CHAPTER II**

**THE MAIN GRANTS**

*Restrictions on grant aid*

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

**61.**—(1) This Article applies—

- (a) to an application for a renovation grant which is—
  - (i) an owner's application accompanied by an owner-occupation certificate, or
  - (ii) a tenant's application; and
- (b) to any application for a disabled facilities grant.

(2) An owner's application for a renovation grant shall be treated as falling within this Article if it is a conversion application for the provision of 2 or more dwellings and any of the certificates accompanying the application is an owner-occupation certificate.

(3) If in the case of an application for a renovation grant to which this Article applies the financial resources of the applicant 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.

(4) If in the case of an application for a disabled facilities 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, and
- (b) for the determination of the applicable amount referred to in paragraph (3) or (4), and
- (c) as to the 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 Article, subject to such modifications as may be prescribed, any other statutory means-testing regime as it has effect from time to time.
- (8) Regulations may make provision requiring any information or evidence needed for the determination of any matter under this Article to be furnished by such person as may be prescribed.
- (9) In this Article “regulations” means regulations made by the Department.