

## HOUSING.

### Assisted Scheme.

REGULATIONS MADE BY THE MINISTRY OF HOME AFFAIRS FOR NORTHERN IRELAND UNDER THE HOUSING (IRELAND) ACT, 1919, WITH THE APPROVAL OF THE MINISTRY OF FINANCE FOR NORTHERN IRELAND.

1923. No. 69.

To the Councils of the several County Boroughs, Boroughs, and other Urban Districts in Northern Ireland.

To the several bodies of Town Commissioners in Northern Ireland ;  
And to all others whom it may concern.

WHEREAS by Section 5 (1) of the Housing (Ireland) Act, 1919, it is enacted that if it appears to the Local Government Board that the carrying out by a local authority of any Scheme approved under Section 1 of that Act has resulted, or is likely to result in a loss, the Board shall, if the scheme is carried out within such period after the passing of the above-mentioned Act of 1919 as may be specified by the Board, with the consent of the Treasury, pay or undertake to pay to the local authority, out of moneys provided by Parliament, such part of the loss as may be determined to be so payable under regulations made by the Board, with the approval of the Treasury, subject to such conditions as may be prescribed by those Regulations :—

AND WHEREAS by Section 69 of the Government of Ireland Act, 1920, and the General Adaptation of Enactments (Northern Ireland), Order 1921, made thereunder, the functions of the said Local Government Board and the Treasury are transferred as respects Northern Ireland to the Ministry of Home Affairs and Ministry of Finance for Northern Ireland respectively :

NOW, THEREFORE, WE, the Ministry of Home Affairs for Northern Ireland, in pursuance of Our Powers under the recited enactments and under any other statutes in that behalf, and with the approval of the Ministry of Finance for Northern Ireland, hereby make the following Regulations :—

ARTICLE I.—In these Regulations, unless the contrary intention appears :—

- (a) The expression "The Ministry" means the Ministry of Home Affairs for Northern Ireland.
- (b) The expression "Local Authority" means any Local Authority referred to in Section 5 of the Housing (Ireland) Act, 1919, being the Local Authority of an urban district or town in Northern Ireland.
- (c) The expression "Northern Ireland" has the same meaning as in the Government of Ireland Act, 1920.
- (d) The expression "Auditor" means an Auditor appointed by the Ministry.
- (e) The expression "the Housing Acts" means the Housing of the Working Classes (Ireland) Acts, 1890 to 1921 ;
- (f) The expression "the Act of 1890" means the Housing of the Working Classes Act, 1890 ;
- (g) The expression "the Act of 1919" means the Housing (Ireland) Act, 1919.

ARTICLE II.—For the purposes of these Regulations :

(1) The Schemes towards the losses on which the Ministry are liable to contribute under Section 5 of the Act of 1919, out of moneys provided by Parliament shall include any scheme in pursuance of Section 1 of the Act of 1919 in so far as the scheme had been approved by the Local Government Board for Ireland prior to the transfer of services to Northern Ireland—

Provided that the payments hereinafter specified shall apply only to such schemes or parts of such schemes in respect of which contractual or other financial commitments approved by the Ministry had been entered into at a date not later than the 31st day of July, 1921, and which have been carried into effect by the 15th day of August, 1923, or such later date as the Ministry may allow.

(2) Any scheme or part of a scheme coming within the scope of the foregoing proviso is hereinafter referred to as an “assisted scheme.”

(3) An assisted scheme shall be deemed to have been carried into effect when all the houses to be provided thereunder are let or available for letting.

(4) The sums which a local authority is liable to pay or to set apart in respect of moneys borrowed for the purposes of an assisted scheme shall not be included in the annual housing charge of that authority for the purposes of the distribution of the Irish Housing Fund under Section 5 of the Housing of the Working Classes (Ireland) Act, 1908.

ARTICLE III.—(1) In addition to any other accounts which they are required to keep under the housing Acts the Local Authority shall for the purposes of an assisted scheme keep a separate revenue account to be called “The Housing (Assisted Scheme) Account.”

(2) They shall cause to be credited to the said account in each financial year :—

(a) The rents (inclusive of rates where rates are payable by the owner) in respect of any houses provided by them under the assisted scheme ; and

(b) Any other income which may properly be credited to the said account.

(3) They shall cause to be debited to that account in each financial year :—

(a) The sums required for the payment of interest and repayment of principal in respect of all moneys borrowed by them for the purposes of the assisted Scheme which may properly be debited to the said account ;

(b) The rates, taxes, rents or other charges payable by them in respect of any land or houses acquired, leased or provided by them under the assisted scheme, including any sums payable by way of rent, with the approval of the Ministry, to any other account of the Local Authority, in respect of land acquired by them for some other purpose and appropriated for purposes of the assisted scheme ;

(c) The annual premium payable by them in respect of the insurance against fire of any houses provided by them for the purpose of the assisted scheme ;

- (d) The expenditure incurred in respect of supervision and management of the houses provided by them under the assisted scheme ;
- (e) The expenditure incurred by them in and about the repair, improvement, or maintenance of any property acquired or provided by them for the purposes of the assisted scheme, whether such expenditure is incurred by way of a fixed annual contribution to a repairs fund or otherwise ; and
- (f) Any other expenses which may properly be debited to the said account.

(4) Any deficit shown by the said account at the conclusion of each financial year, in so far as that deficit is not covered by the payment to be made by the Ministry to the Local Authority as hereinafter provided, shall be defrayed by the Local Authority in the manner in which the expenses of schemes undertaken in pursuance of the Act of 1890 are defrayed.

- (5) (a) The Housing (Assisted Scheme) Account shall be made up and shall be audited by the Auditor in like manner and subject to the same provisions, as the accounts of an Urban District Council, and for this purpose the enactments and regulations relating to the audit of these accounts by Auditors and to all matters incidental thereto, and consequential thereon, shall apply, so far as necessary ;
- (b) The Auditor shall give to the Local Authority a certificate stating the deficit shown by the said account at the conclusion of the financial year covered by his audit and the total amount of the rents actually collected during that year ;
- (c) After the conclusion of each financial year the Local Authority shall forward to the Ministry two copies of the Housing (Assisted Scheme) Account as audited and certified by the Auditor, and two copies of the certificate mentioned in the preceding paragraph.

ARTICLE IV.—(1) (a) Pending the completion and letting of all the houses provided under an assisted scheme, the subsidy from the State for the maximum period of two years from the signing of the contracts for the erection of the Houses under the Scheme, or in the case of Schemes carried out otherwise than by contract, from the date of the resolution of the local authority authorising the commencement of the work, shall be determined by the Ministry on the basis of any actual certified deficit incurred during the preceding year by the local authority under the scheme, subject to the maximum subsidy payable being equal to the loan charges on the first and subsequent instalments of the loan. Provided that in a case where the land acquired for the purposes of the Scheme has not been purchased outright, the ground rent payable thereon by the local authority may for the purposes of this sub-section be regarded as a loan charge.

- (b) When all the houses to be provided under an assisted scheme have been let, the amount of the subsidy to be paid in any financial year by the Ministry to the Local Authority, shall be determined by the Ministry on the basis of any actual certified deficit incurred during the preceding year by the Local Authority under the Scheme, and shall not in any case exceed a sum equivalent to five-fourths of the amount of the

rents stated in the Auditor's certificate to have been actually collected.

(2) The subsidy as determined under this Article shall be payable, in respect of each financial year subsequent in whole or part to the period mentioned above in sub-division (1) (a) of this Article, during the periods allowed for the repayment of the loans raised by the Local Authority for the purposes of the Assisted Scheme;

Provided that in respect of any financial year subsequent to the 31st day of March, 1927, the ratio of the subsidy to the amount of collected rents shall, in respect of any assisted schemes, be liable to reduction if the Ministry consider that there is sufficient evidence to show that the Local Authority concerned has not exercised due economy in management and has not secured the best rents obtainable.

(3) For the purposes of sub-division (1) (a) of this Article :—

Where the Local Authority apply any capital moneys, including any accumulated funds, belonging to them for defraying any expenditure incurred by them for the purposes of an assisted scheme for which the Local Authority are authorised to borrow moneys, the rate of interest on the capital moneys or funds so applied shall be calculated as follows :—

- (a) Where moneys have been borrowed by the Local Authority for the purposes of the assisted scheme from sources other than moneys or funds belonging to the Local Authority, the rate of interest shall be the same as that payable on the moneys last previously so borrowed ;
- (b) Where no moneys have been borrowed by the Local Authority as aforesaid the rate of interest shall be the same as that in force for the time being for Loans for assisted schemes advanced by the Commissioners of Public Works in Ireland prior to 21st November, 1921, or since that date by the Ministry of Finance for Northern Ireland.

ARTICLE V.—These Regulations may be cited as “ The Housing (Assisted Scheme) Regulations (Northern Ireland), 1923,” and shall, unless and until revoked or altered by the Ministry, with the approval of the Ministry of Finance, apply and have effect as and from the 1st day of December, 1921, with respect to any assisted scheme made by a Local Authority.

Provided that, where any difficulty arises with regard to the application of these Regulations, the Ministry may by Order make any such minor modification of these Regulations as may be necessary in regard to any particular scheme for the purpose of giving effect to the intention of these Regulations.

Given under the Seal of the Ministry of Home Affairs for Northern Ireland this 28th day of August in the year One Thousand Nine Hundred and Twenty-Three.

(Signed) *S. Watt,*

(L.S.)

Secretary.

The Ministry of Finance for Northern Ireland hereby approves of the foregoing Regulations.

Present when the Official Seal of the Ministry of Finance was affixed this First day of September in the year One Thousand Nine Hundred and Twenty-Three.

(Signed) *G. C. Duggan,*

(L.S.)

Assistant Secretary.