
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide a means of assessment of an applicant's contribution to the cost of works for which improvement grants, repairs grants and grants for a means of escape from fire for a house in multiple occupation may be given by a local authority. The Regulations are made under section 240A of the Housing (Scotland) Act 1987.

Part I of the Regulations deals with commencement and interpretation.

Part II of the Regulations sets out the means test in relation to applications for grant from owner occupiers, tenants, liferenters, disabled persons or the person responsible for a disabled person under the age of 16. In the last 2 cases the works must be to make the property suitable for the needs of the disabled occupant. Chapter I details the applications to which Part II applies. Chapter II sets out the formula for calculating the applicant's contribution and details who are the relevant persons whose income will be taken into account when calculating the applicant's contribution. Schedule 1 contains a table enabling the actual calculation of the applicant's contribution. Chapter III deals with general provisions in relation to how the income of relevant persons is assessed with detailed provisions being provided in Chapter IV in relation to employed earners, Chapter V in relation to self employed earners and Chapter VI in relation to other income. Schedule 2 details certain sums that are to be disregarded when determining income. Finally, Chapter VII details what constitute allowable deductions against income.

Part III of the Regulations sets out the method of calculation of the applicant's contribution in relation to applications for grant from owners who are not in occupation of the house to which the application relates or where the application is for repairs grant as a result of a repairs notice over premises other than a house where those premises are part of a building which contains housing.

Part IV of the Regulations states that where an application for grant falls into neither Part II nor Part III of the Regulations, the applicant's contribution shall be the whole of the amount approved by the local authority, being the expense of the carrying out of the works.

Part V of the Regulations provides that the Regulations shall not apply in respect of applications approved by a local authority before the 1st October 2003 (the date on which these Regulations come into force).