
STATUTORY INSTRUMENTS

1992 No. 705

HOUSING, ENGLAND AND WALES

The Housing Renovation etc. Grants (Reduction of Grant) (Amendment) Regulations 1992

<i>Made</i>	- - - -	<i>12th March 1992</i>
<i>Laid before Parliament</i>		<i>12th March 1992</i>
<i>Coming into force</i>	- -	<i>6th April 1992</i>

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 109, 137(2) and 190(1) of the Local Government and Housing Act 1989(1) and of all other powers enabling them in that behalf, and with the consent of the Treasury, hereby make the following Regulations:

Citation, commencement and interpretation

1. These Regulations, which may be cited as the Housing Renovation etc. Grants (Reduction of Grant) (Amendment) Regulations 1992, shall come into force on 6th April 1992, and in these Regulations “the principal Regulations” means the Housing Renovation etc. Grants (Reduction of Grant) Regulations 1990(2).

Amendment of Regulations

2.—(1) The principal Regulations are amended in accordance with this regulation.

(2) In regulation 2 (interpretation), the following definitions are inserted after the definition of “concessionary payment”—

““disability living allowance” means a disability living allowance under section 37ZA of the 1975 Act(3);

“disability working allowance” means a disability working allowance under section 20 of the 1986 Act(4);”.

(3) In Schedule 1 to the principal Regulations (applicable amounts), in Part III (premiums)—

(1) 1989 c. 42.

(2) S.I.1990/1189, amended by S.I. 1991/897.

(3) Section 37ZA was inserted by the Disability Living Allowance and Disability Working Allowance Act 1991 (c. 21), section 1(2).

(4) Section 20 was amended by the Local Government Finance Act 1988 (c. 41), Schedule 10, paragraph 2(2) and the Disability Living Allowance and Disability Working Allowance Act 1991, section 6.

- (a) in paragraph 12(1)(a)(i), for the words “mobility allowance” there are substituted the words “disability living allowance, disability working allowance”;
 - (b) for paragraph 12 (1)(a)(ii) there is substituted—
 - “was in receipt of invalidity pension under section 15 of the 1975 Act when entitlement to that benefit ceased on account of the payment of a retirement pension under that Act and, if the invalidity pension was payable to his partner, the partner is still a member of the family, or”;
 - (c) for paragraph 12(1)(a)(iii) there is substituted—
 - “was in receipt of attendance allowance or disability living allowance but payment of benefit has been suspended in accordance with regulations made under section 82(6) (b) of the 1975 Act, or”;
 - (d) in paragraph 13(2)(a)(i), (b)(i) and (3)(a), after the words “attendance allowance” in each place where they appear there are inserted the words “or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 37ZB(3) of the 1975 Act”⁽⁵⁾;
 - (e) in paragraph 14(1)(b), for the words “attendance allowance or mobility allowance or both” there are substituted the words “disability living allowance”;
 - (f) in paragraph 14A(2)(b)⁽⁶⁾ after the words “attendance allowance” there are inserted the words “or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 37ZB(3) of the 1975 Act”.
- (4) In Schedule 3 to the principal Regulations (sums to be disregarded in the determination of income other than earnings), in paragraph 5 there are inserted at the end the words “or any disability living allowance”.

Transitional

3. In respect of any application for a grant made before 6th April 1992 the provisions of the principal Regulations shall apply as if these Regulations had not come into force.

5th March 1992

Michael Heseltine
Secretary of State for the Environment

9th March 1992

David Hunt
Secretary of State for Wales

⁽⁵⁾ Section 37ZB was inserted by the Disability Living Allowance and Disability Working Allowance Act 1991, section 1(2).

⁽⁶⁾ Paragraph 14A was inserted by S.I. 1991/897.

We consent,

12th March 1992

Gregory Knight
Thomas Sackville
Two of the Lords Commissioners of Her
Majesty's Treasury

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Housing Renovation etc. Grants (Reduction of Grant) Regulations 1990 (“the principal Regulations”) in consequence of the introduction as social security benefits, by the Disability Living Allowance and Disability Working Allowance Act 1991, of disability living allowance and disability working allowance and of the replacement by disability living allowance of mobility allowance and (for people disabled before the age of 65) attendance allowance.

Regulation 2 makes amendments to Schedule 1 to the principal Regulations (applicable amounts) and one amendment to Schedule 3 (sums to be disregarded in the determination of income other than earnings).

Regulation 3 (transitional) provides that the amendments do not apply in respect of any application for a grant made before the date on which these Regulations come into force.