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STATUTORY INSTRUMENTS

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**1992 No. 1725**

**The Housing (Northern Ireland) Order 1992**

**PART III**

**GRANTS**

**CHAPTER I**

**GRANTS TOWARDS COST OF IMPROVEMENTS AND REPAIRS, ETC.**

*Group repair schemes*

**Contributions by participants and limitations on works**

**67.—**(1) Those persons who are eligible to participate in a group repair scheme and who participate in the scheme by signifying consent (in this Article referred to as “scheme consent”), in accordance with the terms of the scheme, to the proposals to carry out the external works specified in the scheme shall be liable, subject to paragraph (2), to contribute to the cost, as notified to them under the scheme, of such of those works as relate to the house or other premises in which they have an interest at a rate determined in accordance with this Article.

(2) For the purposes of paragraph (1), “house” includes premises which were originally constructed as a house but which, by the time the group repair scheme is prepared, have been divided so as to form one or more flats, with or without other premises; and, in the case of a house which has been so divided, the cost of such of the external works as relate to the house shall be apportioned between the several parts into which the house has been divided in such way as may be agreed between the persons with owner’s interests in those parts or, in default of agreement, equally.

(3) In the case of a person who participates in a scheme as an unassisted participant, the rate of contribution shall be 100 per cent.

(4) In the case of a person who participates in a scheme as an assisted participant but whose owner’s interest in the part of the qualifying building in question is an interest in premises other than a house or flat, the rate of contribution, subject to paragraph (5), shall be—

- (a) 25 per cent. in a case where the qualifying building is in a housing action area; and
- (b) 50 per cent. in any other case;

and in this paragraph “house” includes a house in multiple occupation.

(5) The Department may by order amend sub-paragraph (a) or (b) of paragraph (4) so as to specify a percentage different from that which applied before the coming into operation of the order.

(6) In the case of any other person who participates in a scheme as an assisted participant, the rate of contribution shall be such percentage as may be determined by the Executive, being a percentage between nil and that which would be appropriate if paragraph (4) applied; and, in making its determination under this paragraph in the case of any person, the Executive shall have regard—

- (a) to the way in which Article 47 or 48 would apply in his case if he were an applicant for a renovation grant or, as the case may require, an HMO grant; and

(b) to any guidance given by the Department for the purposes of this Article; and paragraph (8) of Article 65 applies to the power to give guidance as mentioned in subparagraph (b) as it applies to any power to give directions under that Article.

(7) Except as provided by paragraph (8), no external works shall be carried out to a part of a building which consists of a house, flat or other premises in respect of which no person eligible to participate has signified scheme consent.

(8) Paragraph (7) does not apply—

(a) to works carried out to a part of a building in respect of which there is no person (or no ascertainable person) eligible to participate in the scheme; or

(b) to works which—

(i) are carried out to a part of a building in respect of which the person eligible to participate consents to their being carried out but has not signified scheme consent (and, accordingly, is not liable to contribute); and

(ii) it is necessary to carry out in order satisfactorily to carry out any external works specified in the scheme to another part of the building in respect of which a person eligible to participate has signified scheme consent.