
STATUTORY INSTRUMENTS

1992 No. 1725

The Housing (Northern Ireland) Order 1992

CHAPTER II

**OTHER GRANTS TOWARDS THE
REPLACEMENT AND REPAIR OF DWELLINGS**

Replacement grants

73.—(1) The Executive may, in accordance with regulations made by the Department, pay grant (in this Article referred to as “replacement grant”) towards the cost of the replacement of dwellings.

(2) Regulations made under this Article may contain such provision as the Department considers appropriate and, without prejudice to the generality of the foregoing, may include in particular provision with respect to the matters mentioned in paragraph (3).

(3) Regulations made under this Article may—

(a) include provision prescribing—

- (i) the class and location of dwellings to which the^[F1] regulations apply],
- (ii) the eligibility of persons to receive grant,
- (iii) the amount of any grant to be made under the regulations or the manner in which any such amount is to be computed, and
- (iv) the conditions subject to which any grant is to be made including, in particular, conditions as to the circumstances in which grant is to be repayable;

(b) provide for the Executive to exercise a discretion in dealing with any matter; and

(c) provide that such provision made under Chapter I of this Part as may be prescribed shall apply (with or without modifications) in relation to replacement grants.

(4) Regulations made under this Article may provide that any of the conditions prescribed under paragraph (3)(a)(iv) is to be included among the matters required to be registered in the Statutory Charges Register.

Para. (5) rep. by 2003 NI 2

F1 2003 NI 2

Repairs grants towards costs of meeting certain statutory repairing obligations in respect of dwelling-houses

74.—(1) Subject to the following provisions of this Article, repairs grants shall be payable by the Executive towards the costs of works specified—

- [^{F2}(a) in a notice of disrepair served in respect of a dwelling-house which is let under a protected tenancy or a statutory tenancy; or]

[^{F3}(b) in a notice served in respect of a dwelling-house under Part 7 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011.]

[^{F4}(1A) In paragraph (1)–

- (a) “notice of disrepair” means a notice under Article 19 of the Private Tenancies (Northern Ireland) Order 2006; and
- (b) “protected tenancy” and “statutory tenancy” have the meaning given in the Rent (Northern Ireland) Order 1978.]

(2) Repairs grant shall be payable to the person ^{F5}. . . , upon whom the notice was served.

[^{F6}(2A) A repairs grant shall not be payable—

- (a) to a person who is an owner of the dwelling#house and who occupies it as his only or principal home; or
- (b) to a person who is a tenant of a dwelling#house at a time when the estate of the landlord under the tenancy belongs to—
 - (i) the Crown (whether in right of Her Majesty's Government in the United Kingdom or in Northern Ireland),
 - (ii) a government department (including a department of the Government of the United Kingdom),
 - (iii) the Executive, or
 - (iv) a registered housing association; or
- (c) to a person of such other description as the Department may prescribe.]

(3) Schedule 3 shall have effect with respect to applications for, and the payment of, grants under this Article.

- F2** Art. 74(1)(a) substituted (1.4.2007) by [Private Tenancies \(Northern Ireland\) Order 2006 \(S.I. 2006/1459 \(N.I. 10\)\)](#), arts. 1(3), **29(2)** (with (6)); S.R. 2006/428, **art. 3(a)**
- F3** Art. 74(1)(b) substituted (1.4.2012) by [Clean Neighbourhoods and Environment Act \(Northern Ireland\) 2011 \(c. 23\)](#), s. 78, **Sch. 3 para. 12(1)**; S.R. 2012/13, art. 2(2), Sch. 2
- F4** Art. 74(1A) inserted (1.4.2007) by [Private Tenancies \(Northern Ireland\) Order 2006 \(S.I. 2006/1459 \(N.I. 10\)\)](#), arts. 1(3), **29(3)** (with (6)); S.R. 2006/428, **art. 3(a)**
- F5** Words in art. 74(2) repealed (1.4.2007) by [Private Tenancies \(Northern Ireland\) Order 2006 \(S.I. 2006/1459 \(N.I. 10\)\)](#), arts. 1(3), 29(4), 75, **Sch. 5** (with art. 29(6)); S.R. 2006/428, **art. 3(a)(c)**
- F6** 2003 NI 2

Changes to legislation:

There are currently no known outstanding effects for the The Housing (Northern Ireland) Order 1992, CHAPTER II .