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Housing Grants, Construction and Regeneration Act 1996

CHAPTER 53

HOUSING GRANTS, CONSTRUCTION AND REGENERATION ACT 1996

PART I

GRANTS, &C. FOR RENEWAL OF PRIVATE SECTOR HOUSING

CHAPTER I

THE MAIN GRANTS

Introductory

- 1 Grants for improvements and repairs, &c.
- 2 Applications for grants.

Preliminary conditions

- 3 Ineligible applicants.
- 4 The age of the property.
- 5 Excluded descriptions of works.
- 6 Defective dwellings.

Renovation grants

- 7 Renovation grants: owner's applications and tenant's applications.
- 8 Renovation grants: certificates required in case of owner's application.
- 9 Renovation grants: certificates required in case of tenant's application.
- 10 Renovation grants: prior qualifying period.

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- 11 Prior qualifying period: the ownership or tenancy condition.
- 12 Renovation grants: purposes for which grant may be given.
- 13 Renovation grants: approval of application.

Common parts grants

- 14 Common parts grants: occupation of flats by occupying tenants.
- 15 Common parts grants: landlord's and tenants' applications.
- 16 Common parts grants: certificate required to accompany application.
- 17 Common parts grants: purposes for which grant may be given.
- 18 Common parts grants: approval of application.

Disabled facilities grants

- 19 Disabled facilities grants: owner's and tenant's applications.
- 20 Disabled facilities grants: the disabled occupant.
- 21 Disabled facilities grants: certificate required in case of owner's application.
- 22 Disabled facilities grants: certificates required in case of tenant's application.
- 22A Certificates required in case of occupier's application
- 23 Disabled facilities grants: purposes for which grant must or may be given.
- 24 Disabled facilities grants: approval of application.

HMO grants

- 25 HMO grants: the interest of the applicant in the property.
- 26 HMO grants: certificate required to accompany application.
- 27 HMO grants: purposes for which grant may be given.
- 28 HMO grants: approval of application.

Restrictions on grant aid

- 29 Restriction on grants for works already begun.
- 30 Means testing in case of application by owner-occupier or tenant.
- 31 Determination of amount of grant in case of landlord's application.
- 32 Apportionment in case of tenants' application for common parts grant.
- 33 Power to specify maximum amount of grant.

Decision and notification

- 34 Decision and notification.

Payment of grants

- 35 Payment of grants: general.
- 36 Delayed payment of mandatory grant.
- 37 Payment of grants: conditions as to carrying out of the works.
- 38 Payment of grants: conditions as to contractors employed.
- 39 Payment of grant to contractor.
- 40 Applicant ceasing to be entitled before payment of grant.
- 41 Change of circumstances affecting disabled occupant.
- 42 Cases in which grants may be re-calculated, withheld or repaid.
- 43 Repayment where applicant not entitled to grant.

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Grant conditions and repayment

- 44 Grant conditions: introductory.
- 45 Condition for repayment on disposal: renovation grants.
- 46 Condition for repayment on disposal: common parts grants.
- 47 Condition for repayment on disposal: HMO grants.
- 48 Condition as to owner-occupation: renovation grants.
- 49 Condition as to availability for letting: renovation grants.
- 50 Conditions as to occupation: HMO grants.
- 51 Conditions as to repayment in case of other compensation, &c.
- 52 Power to impose other conditions with consent of Secretary of State.
- 53 Meaning of relevant disposal.
- 54 Meaning of exempt disposal.
- 55 Cessation of conditions on repayment of grant, &c.

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- 56 Provisions relating to death of applicant.
- 57 Power of local housing authority to carry out works which would attract grant.
- 58 Minor definitions: Chapter I.
- 59 .

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Introductory

- 60 Group repair schemes.
- 61 Qualifying buildings.
- 62 Scheme works.
- 63 Approval of scheme by Secretary of State.

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- 64 Persons eligible to participate in group repair scheme.
- 65 Scheme consent and restriction on works.
- 66 Certificate of completion date.
- 67 Contributions by participants.

Variation of group repair scheme

- 68 Variation of group repair scheme.

Conditions of participation

- 69 Conditions of participation: general.
- 70 Condition as to payment of balance of cost on disposal.
- 71 Conditions as to occupation.
- 72 Meaning of relevant disposal and exempt disposal.
- 73 Payment of balance of cost, &c: cessation of conditions.

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- 74 Power of Secretary of State to modify operation of Chapter.

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- 75 Index of defined expressions: Chapter II.

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- 76 Home repair assistance.
 77 Entitlement to home repair assistance.
 78 Assistance in respect of house-boats and mobile homes.
 79 Power to make further provision by regulations.
 80 Index of defined expressions: Chapter III.

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Deferred action notices

- 81 Deferred action notices.
 82 Service of deferred action notices.
 83 Appeals against deferred action notices.
 84 Review of deferred action notices.
 85 Guidance by Secretary of State.

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- 86 Unfitness for human habitation &c.: power to improve enforcement procedures.

Power to charge for enforcement action

- 87 Unfitness for human habitation, &c.: power to charge for enforcement action.
 88 Recovery of charge for enforcement action.

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- 89 Power to prescribe forms.
 90 Minor definitions: Chapter IV.
 91 Index of defined expressions: Chapter IV.

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- 92 Contributions by the Secretary of State.
 93 Recovery of contributions.

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- 94 Consent of the Secretary of State.

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95 Parsonages, charities, &c.

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96 Meaning of "reasonable repair".
97 Fitness for human habitation.
98 Members of a person's family and connected persons.
99 Meaning of "owner" of dwelling.
100 Disabled persons.
101 Minor definitions: Part I.

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102 Transitional provisions.
103 Consequential amendments: Part I.

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104 Construction contracts.
105 Meaning of "construction operations".
106 Provisions not applicable to contract with residential occupier.
106A Power to disapply provisions of this Part
107 Provisions applicable only to agreements in writing.

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108 Right to refer disputes to adjudication.
108A Adjudication costs: effectiveness of provision

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109 Entitlement to stage payments.
110 Dates for payment.
110A Payment notices: contractual requirements
110B Payment notices: payee's notice in default of payer's notice
111 Notice of intention to withhold payment.
112 Right to suspend performance for non-payment.
113 Prohibition of conditional payment provisions.

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114 The Scheme for Construction Contracts.
115 Service of notices, &c.
116 Reckoning periods of time.
117 Crown application.

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118 The Board and its committees.
119 Registrar and staff.

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Registration and discipline

- 120 Registration.
- 121 Discipline.
- 122 Code of practice.

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- 123 Offence of practising while not registered.
- 124 The Education Fund.
- 125 Supplementary.

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Financial assistance for regeneration and development

- 126 Power of Secretary of State to give financial assistance for regeneration and development.
- 127 Regeneration and development: forms of assistance.
- 128 Regeneration and development: terms on which assistance is given.
- 129 Regeneration and development: consequential amendment.
- 130 Regeneration and development: Welsh Development Agency.

Relocation grants in clearance areas

- 131 Resolution by local housing authority to pay relocation grants.
- 132 Relocation grants: applications and payments.
- 133 Relocation grants: qualifying persons and qualifying dwellings.
- 134 Relocation grants: amount.
- 135 Relocation grants: condition for repayment on disposal.
- 136 Relocation grants: conditions as to owner-occupation.
- 137 Relocation grants: cessation of conditions on repayment of grant, &c.
- 138 Relocation grants: liability to repay is a charge on dwelling.
- 139 Relocation grants: contributions by the Secretary of State.
- 140 Minor definitions relating to relocation grants.

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Miscellaneous provisions

- 141 Existing housing grants: meaning of exempt disposal
- 142 Home energy efficiency schemes.
- 143 Urban development corporations: pre-dissolution transfers.
- 144 Housing action trusts: orders for dissolution.
- 145 The Commission for the New Towns: orders for dissolution.

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- 146 Orders, regulations and directions.
- 147 Repeals and revocations.
- 148 Extent.
- 149 Corresponding provision for Northern Ireland.
- 150 Commencement.
- 151 Short title.

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SCHEDULES

SCHEDULE 1 — Private sector renewal: consequential amendments

Rent Act 1977 (c.42)

- 1 (1) Section 116 of the Rent Act 1977 (court order...

Housing Act 1985 (c.68)

- 2 In section 47(4) of the Housing Act 1985 (limitation of...
3 In section 48(3A) of the Housing Act 1985 (information as...
4 (1) In section 100(2) of the Housing Act 1985 (power...
5 (1) In section 101(1) of the Housing Act 1985 (rent...
6 In section 190A of the Housing Act 1985 (repair notices...
7 (1) In section 244 of the Housing Act 1985 (environmental...
8 (1) In subsection (2)(b) of section 255 of the Housing...
9 In section 535(1)(a) of the Housing Act 1985 (exclusion of...
10 In section 605 of the Housing Act 1985 (consideration by...

Landlord and Tenant Act 1985 (c.70)

- 11 (1) In subsection (1) of section 20A of the Landlord...
12 In section 21 of the Landlord and Tenant Act 1985...

Housing Act 1988 (c.50)

- 13 In section 121(1) of the Housing Act 1988 (rent officers'...

Local Government and Housing Act 1989 (c.42)

- 14 In section 93(5) of the Local Government and Housing Act...
15 (1) Section 169 of the Local Government and Housing Act...

SCHEDULE 2 —

Part I — NEW FIRST SCHEDULE TO THE 1931 ACT

- 1 This is the Schedule to be substituted for the First...

Part II — OTHER AMENDMENTS

The 1931 Act

- 2 (1) Section 2 of the 1931 Act (interpretation) is amended...
3 (1) Section 3 of the 1931 Act (constitution and functions...
4 (1) Section 6A of the 1931 Act (European qualifications) is...
5 (1) Section 7A of the 1931 Act (removal of name...
6 (1) Section 9 of the 1931 Act (right of appeal...
7 In section 11 of the 1931 Act (removal of name...
8 In section 12 of the 1931 Act (penalty for obtaining...
9 For section 13 of the 1931 Act (regulations) substitute— Rules...
10 (1) Section 15 of the 1931 Act (supply of regulations...
11 (1) Section 16 of the 1931 Act (service of documents)...
12 (1) Section 17 of the 1931 Act (defence for certain...
13 For section 18(2) of the 1931 Act (application to Northern...

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The 1938 Act

- 14 (1) Section 1A of the 1938 Act (visiting EC architects)...
- 15 In section 3 of the 1938 Act (offence of practising...
- 16 In section 5 of the 1938 Act (construction and citation),...
- 17 For section 6(1) of the 1938 Act (application to Northern...

Other enactments

- 18 In section 6 of the Inspection of Churches Measure 1955...
 - 19 In section 52(1) of the Cathedrals Measure 1963 (interpretation), in...
 - 20 In section 20(1) of the Care of Cathedrals Measure 1990...
- Part III — TRANSITIONAL PROVISIONS AND SAVINGS

First elections and appointments to the Board

- 21 (1) Part I of the First Schedule to the 1931...

Registration

- 22 Where before the appointed day a person has duly applied...
- 23 Examinations in architecture which immediately before the appointed day were...
- 24 Section 6B of the 1931 Act shall have effect as...
- 25 The first reference to the Board in section 7A(1) of...

Discipline

- 26 Where before the appointed day— (a) the Discipline Committee has...
- 27 (1) Subject to sub-paragraph (2), the provisions substituted by section...

Pre-commencement removals and disqualifications

- 28 (1) Where a person's name has been removed from the...
- 29 A person may appeal under section 9 of the 1931...
- 30 Section 1A(6)(b) of the 1938 Act shall have effect as...

Offence of practising while not registered

- 31 The amendments made in sections 1 and 3 of the...
- 32 The repeal made in section 3 of the 1938 Act...

Transfer of Fund

- 33 If the transfer of the assets of the Fund takes...

Supplementary

- 34 (1) In this Part of this Schedule—
- 35 Nothing in this Schedule prejudices the operation of section 16...

SCHEDULE 3 — Repeals and Revocations

Part I — GRANTS, &C FOR RENEWAL OF PRIVATE SECTOR HOUSING

Part II — ARCHITECTS

Part III — FINANCIAL ASSISTANCE FOR REGENERATION AND DEVELOPMENT

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