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STATUTORY INSTRUMENTS

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**1993 No. 552**

**HOUSING, ENGLAND AND WALES**

**The Housing Renovation etc. Grants (Prescribed Forms and Particulars) (Amendment) Regulations 1993**

<i>Made</i>	- - - -	<i>5th March 1993</i>
<i>Laid before Parliament</i>		<i>15th March 1993</i>
<i>Coming into force</i>	- -	<i>5th April 1993</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 102(2) and (4), 137(2), 138(1)(1) and 190(1) of the Local Government and Housing Act 1989(2), and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Housing Renovation etc. Grants (Prescribed Forms and Particulars) (Amendment) Regulations 1993 and shall come into force on 5th April 1993.

(2) In these Regulations “the principal Regulations” means the Housing Renovation etc. Grants (Prescribed Forms and Particulars) Regulations 1990(3).

(3) Any reference in these Regulations to a numbered form is a reference to the form bearing that number in the Schedule to the principal Regulations.

**Amendment of the principal Regulations**

2. The Schedule to the principal Regulations is amended—

- (a) as regards Form 1 (application for renovation grant) and Form 2 (application for disabled facilities grant), as mentioned in Schedule 1;
- (b) as regards Form 3 (application for common parts grant), as mentioned in Schedule 2; and
- (c) as regards Form 4 (application for HMO grant), as mentioned in Schedule 3.

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(1) See the definition of “prescribed”.

(2) 1989 c. 42.

(3) S.I. 1990/1236, amended by S.I. 1991/898 and 1992/562.

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4th March 1993

*Michael Howard*  
Secretary of State for the Environment

5th March 1993

*David Hunt*  
Secretary of State for Wales

SCHEDULE 1

Regulation 2(a)

AMENDMENTS TO FORMS 1 AND 2

1. Any reference in this Schedule to a numbered question or note is, unless the context otherwise requires, a reference to the question or note bearing that number in Form 1 and in Form 2.

2. For question 1.21 substitute—

1.21 Will you or a member of your family carry out the works?

**Note 8A**

Yes   
No

3. In question 3.13(4) omit the entry relating to mobility allowance and the words “**Note 29**” against “Disability living allowance”.

4. For question 3.13A(5) substitute—

3.13A If you or your partner receives the care component of disability living allowance (whether or not the allowance also consists of the mobility component), is the care component awarded at the highest, middle or lowest rate?

Highest Middle Lowest

You	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Your partner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. After question 3.13A insert the following—

3.13B If you or your partner do not receive attendance allowance, or the care component of disability living allowance at the highest or middle rate, is this because you or your partner is undergoing treatment?

Yes No

You	<input type="checkbox"/>	<input type="checkbox"/>
Your partner	<input type="checkbox"/>	<input type="checkbox"/>

3.13C If you have answered “No” to the part of question 3.13 which asks about invalid care allowance, have you or your partner received that allowance at any time in the last 8 weeks?

Yes No

You	<input type="checkbox"/>	<input type="checkbox"/>
Your partner	<input type="checkbox"/>	<input type="checkbox"/>

6. In questions 3.16 and 3.24, for the words “(Go to 3.26)” substitute the words “(Go to 3.25A)”.

(4) Relevant amendments to question 3.13 were made by S.I. 1992/562.

(5) Question 3.13A was inserted by S.I. 1992/562.

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7. In question 3.18 for the words “over 24 hours per week” substitute the words “16 hours per week or more”.

8. After question 3.25 insert the following—

3.25A Is there anyone aged 18 or over who lives with you, apart from your partner or any dependent children?

Yes   
No  **Note 37A**

3.25B Please give details:

Name	Relationship to you
.....	.....
.....	.....

3.25C Do any of them receive attendance allowance or the care component of disability living allowance at the highest or middle rate?

Yes   
No

3.25D Please give details, including the name of the person who receives the allowance:

.....  
.....

9. In questions 3.28 and 3.30 for “24 hours” substitute “16 hours”.

10. Omit questions 3.44 and 3.45 and “**Note 52**” against question 3.44.

11. In paragraph (b) of the authorisation at the end of section A of Part 3—

- (a) following the words “Housing Benefit (HB)” insert the words “, Council Tax Benefit (CTB)”;
- (b) following the words “Housing Benefit” insert the words “, Council Tax Benefit”; and
- (c) following “HB” (in each place where it occurs) insert “, CTB”.

12. After note 8 insert, as note 8A,—

“**8A.** If you carry out the works yourself, or if they are carried out by a member of your family, you may be unable to give an invoice, demand or receipt for the works which would be acceptable to the Council for the purpose of payment of grant. Please clarify this point with the Council.”.

13. Note 29(6) is omitted.

14. In note 30A(7) after the words “training allowance)” insert the words “or you or your partner receives a concessionary payment by way of compensation for the non-payment of invalid care allowance”.

15. In note 36(8) for the words “, disability living allowance or mobility allowance” substitute the words “disability living allowance or mobility supplement”.

16. After note 37 insert, as note 37A,—

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(6) Amended by S.I. 1991/898.  
(7) Note 30A was inserted by S.I. 1991/898.  
(8) Note 36 was amended by S.I. 1992/562.

**“37A.** For this purpose, a person lives with you if they share with you a room or rooms **other than** a bathroom, lavatory or communal area e.g. hall; but not if you each pay separately for your accommodation to a landlord.”.

**17.** For the first paragraph of note 44(9) substitute—

“You do not need to include any of the following:

- attendance allowance;
- community charge benefit;
- council tax benefit;
- disability living allowance;
- guardian’s allowance;
- housing benefit;
- income support (see questions 3.3 and 3.26);
- payments from the Macfarlane Trusts, or the Independent Living Fund;
- payments from the Fund i.e. money made available by the Secretary of State under a scheme set up on 24th April 1992 or, in Scotland, on 10th April 1992;
- payments to compensate for the loss of entitlement to supplementary benefit where you did not become entitled to income support for a period beginning on 11th April 1988;
- payments under the “business on own account” scheme, the “personal reader service” or the “fares to work” scheme;
- social fund payments under Part VIII of the Social Security Contributions and Benefits Act 1992.”.

**18.** For the first paragraph of note 45 substitute—

“You do not need to include any of the following:

- anything listed in note 44;
- boarding-out or fostering payments made by a local authority, health authority or voluntary organisation;
- job start allowance;
- “Part III” payments i.e. payments made by a local authority under section 17 or 24 of the Children Act 1989 in respect of children and young people;
- payments made to you as a holder of the Victoria Cross or George Cross.”.

**19.** For the first paragraph of note 49 substitute—

“You do not need to include any of the following:

- community charge benefit;
- council tax benefit;
- housing benefit, or housing benefit transitional payments;
- “Part III” payments (see note 45);
- payments from the Macfarlane Trusts or the Independent Living Fund;
- payments from the Fund (see note 44);

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(9) Amended by S.I. 1992/562.

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- payments to compensate for the loss of entitlement to supplementary benefit where you did not become entitled to income support for a period beginning on 11th April 1988;
- payments under the “business on own account” scheme, the “personal reader service”, or the “fares to work” scheme;
- “start-up” payments to homeworkers assisted under the Blind Homeworkers' Scheme;
- social fund payments under Part VIII of the Social Security Contributions and Benefits Act 1992.”.

**20.** In note 51 after the words “a member of your family” insert the words “, as his only or main residence”.

**21.** Omit note 52.

SCHEDULE 2

Regulation 2(b)

AMENDMENTS TO FORM 3

**1.** Any reference in this Schedule to a numbered question or note is, unless the context otherwise requires, a reference to the question or note bearing that number in Form 3.

**2.** For question 1.17 substitute—

1.17 Will you or a member of your family carry out the works?

**Note 10A**

Yes

No

**3.** In question 3.11(10) omit the entry relating to mobility allowance and “**Note 27**” against “Disability living allowance”.

**4.** For question 3.11A(11) substitute—

**3.11A** If you or your partner receive the care component of disability living allowance (whether or not the allowance also consists of the mobility component), is the care component awarded at the highest, middle or lowest rate?

	Highest	Middle	Lowest
You	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Your partner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**5.** After question 3.11A insert the following—

(10) Relevant amendments to question 3.11 were made by S.I. 1992/562.

(11) Question 3.11A was inserted by S.I. 1992/562.

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3.11B If you or your partner do not receive attendance allowance, or the care component of disability living allowance at the highest or middle rate, is this because you or your partner is undergoing treatment?

	Yes	No
You	<input type="checkbox"/>	<input type="checkbox"/>
Your partner	<input type="checkbox"/>	<input type="checkbox"/>

3.11C If you or your partner have answered "No" to the part of question 3.11 which asks about invalid care allowance, have you or your partner received that allowance at any time in the last 8 weeks?

	Yes	No
You	<input type="checkbox"/>	<input type="checkbox"/>
Your partner	<input type="checkbox"/>	<input type="checkbox"/>

- 6. In questions 3.14 and 3.22, for the words "(Go to 3.24)" substitute the words "(Go to 3.23A)".
- 7. In question 3.16 for the words "over 24 hours per week" substitute the words "16 hours per week or more".
- 8. After question 3.23 insert the following—

3.23A Is there anyone aged 18 or over who lives with you, apart from your partner or any dependent children?

Yes   
 No  **Note 35A**

3.23B Please give details:

Name	Relationship to you
.....	.....
.....	.....

3.23C Do any of them receive attendance allowance or the care component of disability living allowance at the highest or middle rate?

Yes   
 No

3.23D Please give details, including the name of the person who receives the allowance:  
 .....  
 .....

- 9. In questions 3.26 and 3.28 for "24 hours" substitute "16 hours".
- 10. In paragraph (b) of the authorisation at the end of section A of Part 3—
  - (a) following the words "Housing Benefit (HB)" insert the words ", Council Tax Benefit (CTB)"; and
  - (b) following the words "Housing Benefit" insert the words ", Council Tax Benefit"; and
  - (c) following "HB" (in each place where it occurs) insert ", CTB".

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11. Omit questions 3.42 and 3.43 and “**Note 50**” against question 3.42.
12. After note 10 insert, as note 10A,—

“**10A.** If you carry out the works yourself, or if they are carried out by a member of your family, you may be unable to give an invoice, demand or receipt for the works which would be acceptable to the Council for the purpose of payment of grant. Please clarify this point with the Council.”.
13. In note 22 for the words “authorisation (a)” substitute the words “**authorisation (a)**”.
14. Omit note 27(12) .
15. In note 28A(13) after the words “training allowance)” insert the words “or you or your partner receives a concessionary payment by way of compensation for the non-payment of invalid care allowance”.
16. In note 34(14) for the words “, disability living allowance or mobility allowance” substitute the words “disability living allowance or mobility supplement”.
17. After note 35 insert, as note 35A,—

“**35A.** For this purpose, a person lives with you if they share with you a room or rooms **other than** a bathroom, lavatory or communal area e.g. hall; but not if you each pay separately for your accommodation to a landlord.”.
18. For the first paragraph of note 42(15) substitute—

“You do not need to include any of the following:

  - attendance allowance;
  - community charge benefit;
  - council tax benefit;
  - disability living allowance;
  - guardian’s allowance;
  - housing benefit;
  - income support (see questions 3.1 and 3.24);
  - payments from the Macfarlane Trusts, or the Independent Living Fund;
  - payments from the Fund i.e. money made available by the Secretary of State under a scheme set up on 24th April 1992 or, in Scotland, on 10th April 1992;
  - payments to compensate for the loss of entitlement to supplementary benefit where you did not become entitled to income support for a period beginning on 11th April 1988;
  - payments under the “business on own account” scheme, the “personal reader service” or the “fares to work” scheme;
  - social fund payments under Part VIII of the Social Security Contributions and Benefits Act 1992.”.
19. For the first paragraph of note 43 substitute—

“You do not need to include any of the following:

  - anything listed in note 42;

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(12) Amended by S.I. 1991/898 and 1992/562.

(13) Inserted by S.I. 1991/898.

(14) Amended by S.I. 1992/562.

(15) Amended by S.I. 1992/562.



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- boarding-out or fostering payments made by a local authority, health authority or voluntary organisation;
- job start allowance;
- “Part III” payments i.e. payments made by a local authority under section 17 or 24 of the Children Act 1989 in respect of children and young people;
- payments made to you as a holder of the Victoria Cross or George Cross.”.

**20.** For the first paragraph of note 47 substitute—

“You do not need to include any of the following:

- community charge benefit;
- council tax benefit;
- housing benefit, or housing benefit transitional payments;
- payments from the Macfarlane Trusts or the Independent Living Fund;
- payments from the Fund (see note 42);
- “Part III” payments (see note 43);
- payments to compensate for the loss of entitlement to supplementary benefit where you did not become entitled to income support for a period beginning on 11th April 1988;
- payments under the “business on own account” scheme, the “personal reader service”, or the “fares to work” scheme;
- “start-up” payments to homeworkers assisted under the Blind Homeworkers' Scheme;
- social fund payments under Part VIII of the Social Security Contributions and Benefits Act 1992.”.

**21.** In note 49 after the words “a member of your family” insert the words “, as his only or main residence”.

**22.** Omit note 50.

### SCHEDULE 3

Regulation 2(c)

#### AMENDMENTS TO FORM 4

**1.** Any reference in this Schedule to a numbered question or note is a reference to the question or note bearing that number in Form 4.

**2.** For question 1.29 substitute—

1.29 Will you or a member of your family carry out the works?

**Note 10A**

Yes   
No

**3.** After note 10 insert, as note 10A,—

“**10A.** If you carry out the works yourself, or if they are carried out by a member of your family, you may be unable to give an invoice, demand or receipt for the works which would be acceptable to the Council for the purpose of payment of grant. Please clarify this point with the Council.”.

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## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations further amend the Housing Renovation etc. Grants (Prescribed Forms and Particulars) Regulations 1990. Most of the amendments are consequential on amendments made by the Housing Renovation etc. Grants (Reduction of Grant) (Amendment) Regulations 1993 (S.I.1993/551) to the Housing Renovation etc. Grants (Reduction of Grant) Regulations 1990 (S.I. 1990/1189). There are also some minor drafting amendments and amendments consequential upon the consolidation of certain social security legislation.

Regulation 2 provides for the amendment, in accordance with Schedule 1 to the Regulations, of Forms 1 and 2 (applications for a renovation grant or a disabled facilities grant); in accordance with Schedule 2 to the Regulations, of Form 3 (application for a common parts grant); and, in accordance with Schedule 3 to the Regulations, of Form 4 (application for HMO grant).