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## EXPLANATORY NOTE

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

These Regulations provide for reduction of the amount of renovation grant and disabled facilities grant which may be paid by local housing authorities in respect of applications for such grants by owner-occupiers and tenants under Part VIII of the Local Government and Housing Act 1989. The reduction is to be carried out in accordance with regulation 10 where the financial resources of the applicant (as defined by regulation 9 and determined under Part IV of, and Schedules 2, 3 and 4 to, the Regulations) exceed the applicable amount (within the meaning of regulation 8 and Part III) in respect of the application. The Regulations consolidate, with modifications, the Housing Renovation etc. Grants (Reduction of Grant) Regulations 1990 and the amending regulations listed in Schedule 5.

In addition to minor and drafting amendments, these Regulations make the following changes:

New definitions of “maternity leave” and “personal pension scheme” are added to regulation 2(1) (interpretation), and the definition of “the Independent Living Fund” is expanded.

A new paragraph (6) is added to regulation 5 (remunerative work) to provide that a person absent from work owing to illness or maternity leave is not to be treated as engaged in remunerative work.

Regulation 7 (circumstances in which a person is to be treated as being or not being a member of the household) is amended to make provision for temporary absence.

A new paragraph (2) is added to regulation 20 (determination of weekly income) to amend the provisions for determining the average weekly earnings of self-employed earners.

New sub-paragraphs (i) and (j) are added to regulation 21(1) (earnings of employed earners) to specify further the amounts which are to be included as earnings.

New paragraphs (11) and (12) are added, and consequential amendments made, to regulation 24 (determination of net profit of self-employed earners) to specify further the amounts which are to be deducted from earnings.

In paragraph (2) of regulation 25 (deduction of tax and contributions for self-employed earners), the provisions specifying the amount to be deducted in respect of social security contributions are amended.

Sub-paragraph (b) of regulation 28(7) (notional income) is amended to specify further the amount to be deducted in respect of certain social security contributions.

A new paragraph (5) is added to regulation 29 (modifications in respect of children and young persons), to provide for certain capital of a child or young person to be treated as income; and consequential amendments are made to regulations 12 (applicable amounts), 13 (polygamous marriages) and 26 (determination of income other than earnings), and to Schedule 1.

In Schedule 1 (applicable amounts), the amounts specified in Parts I and IV of that Schedule are updated, and the conditions relating to severe disability premium in paragraph 13 and to disabled child premium in paragraph 14 are amended.

In Schedule 2 (sums to be disregarded in the determination of earnings), the provisions in paragraphs 1(a) and 2 relating to the disregard of certain earnings where the employment has been terminated or the applicant has ceased to be engaged in work are amended.

In Schedule 3 (sums to be disregarded in the determination of income other than earnings), paragraph 14 is amended to provide that the disregard of a specified amount of certain war pensions and payments is not to apply where the pension or payment falls to be disregarded under other specified

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provisions; new paragraphs 20 and 40 are inserted, specifying certain disregards in respect of payments for board and lodging accommodation; and a new paragraph 51 is added, specifying a disregard of any increase in the rate of certain social security benefits.

Regulation 46 provides that these Regulations shall not apply in respect of applications made before 4th April 1994 (the date on which these Regulations come into force).