STATUTORY RULES OF NORTHERN IRELAND

1999 No. 387

HOUSING

Housing Renovation etc. Grants (Reduction of Grant) (Amendment) Regulations (Northern Ireland) 1999

Made - - - -	*15th September 1999*
Coming into operation	*27th October 1999*

The Department of the Environment, in exercise of the powers conferred on it by Article 47 of the Housing (Northern Ireland) Order 1992(**1**) and of every other power enabling it in that behalf, with the consent of the Department of Finance and Personnel, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Housing Renovation etc. Grants (Reduction of Grant) (Amendment) Regulations (Northern Ireland) 1999 and shall come into operation on 27th October 1999.

Amendments

2. The Housing Renovation etc. Grants (Reduction of Grant) Regulations (Northern Ireland) 1997(**2**) are amended in accordance with regulations 3 to 13.

Regulation 2

3. In regulation 2 (interpretation)—

(a) after the definition of "earnings", insert—

> ""the Eileen Trust" means the charitable trust of that name established on 29th March 1993 out of funds provided by the Secretary of State for Social Security for the benefit of persons eligible for payment in accordance with its provisions;";

(b) in the definition of "the Fund", after "Secretary of State" insert "for Social Security";

(c) in the definition of "the Independent Living Fund", for "Social Services" substitute "Social Security";

(d) after the definition of "the Independent Living (1993) Fund", insert—

(**1**) S.I. 1992/1725 (N.I. 15). See Article 2(2) for the definition of "the Department"
(**2**) S.R. 1997 No. 456 as amended by S.R. 1998 No. 396

""the Independent Living Funds" means the Independent Living Fund, the Independent Living (Extension) Fund and the Independent Living (1993) Fund;

"intensive activity period (New Deal) programme" means the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations 1998(**3**) in regulation 2(1) of those Regulations;";

(e) in the definition of "the Macfarlane Trust", for "Social Services" substitute "Social Security".

Regulation 6

4. In regulation 6 (renumerative work), after paragraph (6) insert—

"(6A) A person shall not be treated as engaged in remunerative work in any week in which he is participating in the intensive activity period (New Deal) programme.".

Regulation 11

5. In regulation 11 (reduction in amount of grant)—

(a) in paragraph (a)(i), for "17£39" substitute "18£75";

(b) in paragraph (a)(ii), for "34£78" substitute "37£50";

(c) in paragraph (a)(iii), for "139£13" substitute "150£02";

(d) in paragraph (a)(iv), for "347£82" substitute "375£04";

(e) in paragraph (b)(i), for "10£40" substitute "10£87";

(f) in paragraph (b)(ii), for "20£80" substitute "21£74";

(g) in paragraph (b)(iii), for "83£22" substitute "86£95",.. and

(h) in paragraph (b)(iv), for "208£04" substitute "217£37".

Regulation 30

6. In regulation 30 (notional income)—

(a) for paragraph (6A) substitute—

"(6A) The payments for the purposes of the exclusion in paragraph (6) are any payment of income—

(a) made under the Macfarlane Trusts, the Fund, the Eileen Trust or the Independent Living Funds;

(b) made pursuant to section 19(1)(a) of the Coal Industry Act 1994(**4**) (concessionary coal);

(c) made pursuant to section 1 of the Employment and Training Act (Northern Ireland) 1950 in respect of a person's participation—

(i) in an employment programme specified under regulation 75(1)(a)(ii)(**5**) of the Jobseeker's Allowance Regulations;

(ii) in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations;

(**3**) S.R. 1998 No. 421
(**4**) 1994 c. 21
(**5**) Regulation 75 was substituted by regulation 8 of S.R. 1997 No. 541

(iii) in a qualifying course within the meaning specified in regulation 17A(7)(**6**) of those Regulations; or

(iv) in the intensive activity period (New Deal) programme but only to the extent that it is not used for a purpose specified in paragraph (6)(a).";

(b) in paragraph (7)—

(i) at the beginning, for "Where", substitute "Subject to paragraph (7A), where";

(ii) omit the words from "; but this paragraph" to the end of the paragraph;

(c) after paragraph (7) insert—

"(7A) Paragraph (7) shall not apply—

(a) to a relevant person who is engaged by a charitable or voluntary organisation or is a volunteer if it is reasonable for him in any of those cases to provide his services free of charge; or

(b) to a service performed in connection with the relevant person's participation —

(i) in an employment or training programme in accordance with regulation 19(1)(p) of the Jobseeker's Allowance Regulations; or

(ii) in the intensive activity period (New Deal) programme.".

Regulation 37

7. In regulation 37 (notional capital)—

(a) in paragraph (3), for the words from the beginning to "regulation 75(1)(b)(ii) of those Regulations" substitute "Any payment of capital, other than any of the payments referred to in paragraph (3A)";

(b) after paragraph (3) insert—

"(3A) The payments for the purposes of the exclusion in paragraph (3) are any payment of capital—

(a) made under any of the Macfarlane Trusts, the Fund, the Eileen Trust or the Independent Living Funds;

(b) made pursuant to section 1 of the Employment and Training Act (Northern Ireland) 1950 in respect of a person's participation—

(i) in an employment programme specified under section 75(1)(a)(ii) of the Jobseeker's Allowance Regulations;

(ii) in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations;

(iii) in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations; or

(iv) in the intensive activity period (New Deal) programme but only to the extent that it is not used for a purpose specified in paragraph (3)(a).".

Regulation 38

8. In regulation 38 (capital jointly held), for "to an equal share" to the end, substitute "to the whole beneficial interest in the asset in an equal share and the preceding provisions of this Chapter

(**6**) Regulation 17A was inserted by regulation 4 of S.R. 1998 No. 198

shall apply for the purposes of calculating the amount of capital which the relevant person is treated as possessing as if it were actual capital which the relevant person does possess.".

Regulation 40

9. In regulation 40 (interpretation), in the definition of "contribution", after "in respect of the income", insert "of a student or".

Insertion of regulation 46A

10. At the end of regulation 46 (disregard of contribution), insert—

"**Further disregard of student's income**

46A. Where any part of a student's income has already been taken into account for the purposes of assessing his entitlement to a grant, the amount taken into account shall be disregarded in assessing that student's income.".

Schedule 1

11.—(1) In paragraph 1 of Part I of Schedule 1 (applicable amounts; personal allowances), in the column headed "Column (2) Amount"—

(a) in sub-paragraph 1(a), for "£39£85" substitute "£40£70";

(b) in sub-paragraph 1(b), for "£50£35" substitute "£51£40";

(c) in sub-paragraph 2(a), for "£39£85" substitute "£40£70";

(d) in sub-paragraph 2(b), for "£50£35" substitute "£51£40";

(e) in sub-paragraph 3(a), for "£60£10" substitute "£61£35", and

(f) in sub-paragraph 3(b), for "£79£00" substitute "£80£65".

(2) For paragraph 2 of Part I of Schedule 1 (applicable amounts; personal allowances), substitute —

"**2.** The amounts specified in column (2) below in respect of each person specified in column (1) shall, for the relevant period specified in column (1), be the amounts specified for the purposes of regulations 13(b) and 14(c)—

Column (1) *Child or Young Person*	Column (2) *Amount*
Person in respect of the period— (a) beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's eleventh birthday	(a) £20£20
(b) beginning on the first Monday in September following that person's eleventh birthday and ending on the day preceding the first Monday in September following that person's sixteenth birthday	(b) £25£90
(c) beginning on the first Monday in September following that person's	(c) £30£95."