1988 No. 69

HOUSING

Homes Insulation Scheme and Grants Order (Northern Ireland) 1988

Made	*7th March 1988*
Coming into operation . .	*11th April 1988*

The Department of Economic Development in exercise of the powers conferred by Article 86(1), (2), (3), (4)(*a*), (5) and (7) of the Housing (Northern Ireland) Order 1981(**a**) and now vested in it(**b**) and of every other power enabling it in that behalf, with the approval of the Department of Finance and Personnel(**c**) hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Homes Insulation Scheme and Grants Order (Northern Ireland) 1988 and shall come into operation on 11th April 1988.

(2) In this Order "grant" means a grant paid under Article 86(1) of the Housing (Northern Ireland) Order 1981.

Homes Insulation Scheme

2. The Department of Economic Development hereby makes the Homes Insulation Scheme (Northern Ireland) 1988 set out in the Schedule.

Amounts of grants

3. The grant shall be 90 per cent. of the cost of the works qualifying for it or £137 whichever is the lesser amount.

Revocation

4. Subject to Article 5 the Homes Insulation Scheme and Grants Order (Northern Ireland) 1984(**d**) is hereby revoked.

Transitional provisions

5. The Homes Insulation Scheme and Grants Order (Northern Ireland) 1984 shall apply to any applications for grant made before the coming into operation of this Order as if this Order had not been made.

(a) S.I. 1981/156 (N.I. 3)
(b) *See* S.R. 1984 No. 204
(c) Formerly Department of Finance: *See* S.I. 1982/338 (N.I. 6) Art. 3
(d) S.R. 1984 No. 310

Sealed with the Official Seal of the Department of Economic Development on 7th March 1988.

(L.S.) *D. Gibson*
Under-Secretary

The Department of Finance and Personnel hereby approves the foregoing Order.

Sealed with the Official Seal of the Department of Finance and Personnel on 7th March 1988.

(L.S.) *Joan O. M. Frame*
Assistant Secretary

SCHEDULE Article 2

The Homes Insulation Scheme (Northern Ireland) 1988

Interpretation

1. In this Scheme:—

"British Standard Specification 5615:1978" means the specification for insulating jackets for domestic hot water storage cylinders (ISBN 0 580 10325 0), published on 30th September 1978 under authority of the Executive Board of the British Standards Institution, 2 Park Street, London W1A 2BS;

"insulated additional roof space" means roof space which has been added to the dwelling by works of improvement and in all or any part of which there is insulation material of a thickness of 30mm or more;

"roof space" means space between the roof of a house and the ceiling of any room, which is used or available for use for the purposes of living accommodation and which is not wholly separated from the roof by any other room; and

"spouse" means the applicant's husband or wife living with the applicant; or a person with whom the applicant is living as though they were husband and wife.

Specified insulation works

2.—(1) Subject to the provisions of this Scheme, grant will be available for the following insulation works:—

(*a*) the provision in any roof space, other than an insulated additional roof space, of material specified in column 2 of the Appendix as made by or for the body named in column 1 to the thickness specified in column 3;

(*b*) where there is no means of access to any roof space for the purpose of carrying out the insulation works referred to in sub-paragraph (1)(*a*), the provision of such a means of access, including a permanent means of access;

(*c*) the insulation, in any roof space, of any cold water tank and any water supply, overflow and expansion pipes; and

(*d*) the provision, for any hot water tank or cylinder which is not already insulated by any means, of a jacket conforming to British Standard Specification 5615:1978 or, if there is insufficient space for such a jacket, of other means of insulation.

(2) Grant shall only be available where at the completion of the insulation works:—

(*a*) insulation material has been provided throughout the area of the roof space except for any area:—

(i) to which it is not reasonably practicable to obtain or provide means of obtaining access;

(ii) where the absence of insulation is necessary for adequate ventilation of the roof space;

(iii) which is below a water tank; or

(iv) which is insulated additional roof space;

(*b*) any cold water tank in any roof space insulated under this Scheme and any water supply, overflow and expansion pipes in any such roof space are insulated; and

(*c*) any hot water tank or cylinder which was not insulated at the start of those works is insulated as mentioned in sub-paragraph (1)(*d*).

(3) Grant shall only be available for the insulation works mentioned in sub-paragraph (1)(*b*), (*c*) or (*d*) where at the same time as such insulation works are carried out the insulation works referred to in sub-paragraph (1)(*a*) are also carried out.

Cases in which grant is to be available

3.—(1) A grant for any dwelling under this Scheme is to be made only where there is an application on grounds of special need.

(2) In this paragraph "application on the grounds of special need" means an application made by a person who, or whose spouse, is at the time of application in receipt of income support, family credit or housing benefit within the meaning of Part III of the Social Security (Northern Ireland) Order 1986(**a**).

Description of houses qualifying for grant

4.—(1) The houses qualifying for a grant under this Scheme are all houses completed before 1st October 1977 other than:—

(*a*) those without any roof space;

(*b*) those in respect of which a grant has been paid under the Homes Insulation (Northern Ireland) Order 1978(**b**) or Article 86 of the Housing (Northern Ireland) Order 1981; and

(*c*) subject to sub-paragraph (2), those in which there is, or has been at any time during the subsistence of the applicant's interest in the house insulation material of a thickness of 30mm or more in all or any part of any roof space.

(2) A house which is excluded from qualifying for a grant under sub-paragraph (1)(*c*) shall qualify if all the insulation material of a thickness of 30mm or more in the roof space:—

(*a*) is insulating a water tank, cylinder, water supply pipe or overflow or expansion pipe; or

(*b*) is in insulated additional roof space.

(3) For the purposes of this Scheme, dwellings which are provided by the conversion of houses or other buildings are to be regarded as completed before 1st October 1977 if such houses or other buildings were completed before that date.

Persons from whom applications are to be entertained

5.—(1) Subject to sub-paragraph (2), the following are the persons from whom applications for grant are to be entertained in respect of houses within the description specified in paragraph 4:—

(*a*) a person in occupation of such a house;

(*b*) where the house is unoccupied, any person entitled to occupy it; and

(*c*) where the house is subject to a tenancy or licence, any landlord or licensor.

(2) No application made by a public authority shall be entertained.

(3) In this paragraph "public authority" means a public body established by or under any statutory provision or a housing association for the time being registered in the register of housing associations established under Article 124 of the Housing (Northern Ireland) Order 1981 other than one whose rules restrict membership to persons who are tenants or prospective tenants of the association and preclude the granting or assigning of tenancies to persons other than members.

(**a**) S.I. 1986/1888 (N.I. 18)
(**b**) S.I. 1978/1406 (N.I. 22) repealed by S.I. 1981/156 (N.I. 3)