1984 No. 310

HOUSING

The Homes Insulation Scheme and Grants Order (Northern Ireland) 1984

Made	*29th August 1984*
Coming into operation . . .	*24th September 1984*

The Department of Economic Development in exercise of the powers conferred by Article 86(1), (2), (3), (4)(*b*), (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**) to Article 3 hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Homes Insulation Scheme and Grants Order (Northern Ireland) 1984 and shall come into operation on 24th September 1984.

Homes Insulation Scheme

2. The Scheme set out in the Schedule shall have effect and may be referred to in any instrument or document as the Homes Insulation Scheme (Northern Ireland) 1984.

Amounts of grants

3. The grants prescribed for the Homes Insulation Scheme (Northern Ireland) 1984 shall be as set out in paragraph 3 of that Scheme.

Revocation

4. The Homes Insulation Scheme and Grants Order (Northern Ireland) 1983(**d**) is hereby revoked.

Sealed with the Official Seal of the Department of Economic Development for Northern Ireland on 29th August 1984.

(L.S.) *W. N. Drummond*
Under Secretary

The Department of Finance and Personnel hereby approves Article 3 of the foregoing Order.

Sealed with the Official Seal of the Department of Finance and Personnel for Northern Ireland on 29th August 1984.

(L.S.) *D. W. Alexander*
Assistant Secretary

(**a**) S.I. 1981/156 (N.I. 3)
(**b**) S.R. 1984 No. 204
(**c**) Formerly Department of Finance: *See* S.I. 1982/338 (N.I. 6) Art. 3
(**d**) S.R. 1983 No. 342

SCHEDULE

The Homes Insulation Scheme (Northern Ireland) 1984

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;

"grant" means a grant for any house of an amount equivalent to the percentage as prescribed in paragraph 3, or the money sum, whichever is the less;

"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 30 mm or more; and

"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.

Specified insulation works

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

(*a*) the provision in any roof space other than insulated additional roof space of material specified in column 1 of the Schedule to the thickness specified in column 2 of the Schedule;

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

(*c*) 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; or

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

(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 principal insulation works are also carried out.

(4) In this paragraph:—

"principal insulation works" means the insulation works referred to in sub-paragraph (1)(*a*).

Prescribed percentages and amounts of grants

3.—(1) A grant for any house under this Scheme is to be made on the appropriate scale.

(2) In the case of an application on grounds of special need the appropriate scale is 90 per cent. of the cost of the works qualifying for grant or £95, whichever is the less.

(3) In all other cases the appropriate scale is 66 per cent. of the cost of such works or £69, whichever is the less.

(4) In this paragraph:—

"advanced education" means full-time education by attendance at an educational establishment for the purposes of—

(*a*) a course in preparation for a degree, a diploma of higher education, a higher national diploma, a higher diploma or a higher national diploma of the Business and Technician Education Council or a teaching qualification; or

(*b*) any other course which is considered by the Department of Economic Development as being a course of a standard above ordinary national diploma, a diploma or national diploma of the Business and Technician Education Council, or general certificate of education (advanced level);

"application on grounds of special need" means an application for a grant made or authorised to be made:—

(*a*) by a person who, or whose spouse, is in receipt of a supplementary pension, or housing benefit, and who or whose spouse, has attained the age of 65, if a man, or the age of 60, if a woman; or

(*b*) by a person who, or whose spouse, is in receipt of a supplementary allowance, or housing benefit, and who, or whose spouse or one of whose dependants, is severely disabled;

"housing benefit" means a rate rebate, rent rebate or rent allowance under Article 2(2) of the Housing Benefits (Northern Ireland) Order 1983(**a**);

"a supplementary allowance" means a supplementary allowance under Article 3 of the Supplementary Benefits (Northern Ireland) Order 1977(**b**);

"a supplementary pension" means a supplementary pension under Article 3 of the Supplementary Benefits (Northern Ireland) Order 1977;

"spouse" means—

(*a*) the applicant's spouse living with the applicant; or

(*b*) a person with whom the applicant is living as though they were husband and wife;

"dependant" means a person who resides in the house in respect of which the application is made and whose requirements are provided for, in whole or in part, by the applicant or the applicant's spouse and who is either—

(i) a person in respect of whom child benefit is paid or is payable under the Child Benefit (Northern Ireland) Order 1975(**c**); or

(ii) under the age of sixteen; or

(iii) aged sixteen or over but under the age of twenty and receiving full-time education at a school, college, or other similar educational establishment, other than advanced education;

"severely disabled" means a person—

(*a*) who is in receipt of:—

(i) attendance allowance under section 35 of the Social Security (Northern Ireland) Act 1975(**d**);

(ii) an increase under section 61 of the said Act of 1975, of the weekly rate of disablement pension where constant attendance is needed;

(iii) mobility allowance under section 37A of the Social Security (Northern Ireland) Act 1975 as inserted by Article 24 of the Social Security Pensions (Northern Ireland) Order 1975(**e**);

(**a**) S.I. 1983/1121 (N.I. 14)
(**b**) S.I. 1977/2156 (N.I. 27)
(**c**) S.I. 1975/1504 (N.I. 16)
(**d**) 1975 c. 15
(**e**) S.I. 1975/1503 (N.I. 15)

(iv) a constant attendance allowance under Article 14 of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983(**a**) or Article 14 of the Personal Injuries (Civilians) Scheme 1983(**b**);

(v) a grant under Article 30(3) of the Health and Personal Social Services (Northern Ireland) Order 1972(**c**) (provision of vehicles for disabled persons) towards the cost of maintaining a vehicle belonging to a person referred to in Article 30(1) of that Order;

(vi) an amount pursuant to Article 26 of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983 (provision of expenses in respect of appropriate aids for disabled living) in respect of the cost of providing a vehicle for, or maintaining a vehicle belonging to, a disabled person;

(vii) a mobility supplement under Article 26A of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983 as inserted by Article 4 of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Amendment Order 1983(**d**) (amended by Article 2 of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Amendment (No. 2) Order 1983(**e**); and

(viii) a mobility supplement under Article 25A of the Personal Injuries (Civilians) Scheme 1983 as inserted by Article 3 of the Personal Injuries (Civilians) Amendment Scheme 1983(**f**) (amended by Article 2 of the Personal Injuries (Civilians) Amendment (No. 2) Scheme 1983(**g**);

(*b*) for whom an invalid carriage or other vehicle has been provided pursuant to Article 30 of the Health and Personal Social Services (Northern Ireland) Order 1972.

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 except:—

(*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(**h**) 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 30 mm or more in all or any part of any roof space;

(2) A house which is excluded from qualifying under sub-paragraph (1) for a grant under this Scheme by virtue of sub-paragraph (1)(*c*) shall qualify if all the insulation material of a thickness of 30 mm 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 under this Scheme 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 licenser.

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

(**a**) S.I. 1983/883
(**b**) S.I. 1983/686
(**c**) S.I. 1972/1265 (N.I. 14)
(**d**) S.I. 1983/1116
(**e**) S.I. 1983/1521
(**f**) S.I. 1983/1164
(**g**) S.I. 1983/1540
(**h**) S.I. 1978/1406 (N.I. 22)