1981 No. 419

HOUSING

The Homes Insulation Scheme Order (Northern Ireland) 1981

Made . . . . . 30th December 1981

Coming into operation . . . 1st February 1982

The Department of the Environment in exercise of the powers conferred on it by Article 86 of the Housing (Northern Ireland) Order 1981(**a**) and of every other power enabling it in that behalf, with the approval of the Department of Finance, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Homes Insulation Scheme Order (Northern Ireland) 1981 and shall come into operation on 1st February 1982.

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) 1981.

Revocation

3. The Homes Insulation Scheme Order (Northern Ireland) 1980(**b**) is hereby revoked.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 30th December 1981.

(L.S.) *J. Kirk*
Assistant Secretary

The Department of Finance hereby approves the foregoing Order.

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 30th December 1981.

(L.S.) *J. M. Dowdall*
Assistant Secretary

(**a**) S.I. 1981/156 (N.I. 3)
(**b**) S.R. 1980 No. 328

SCHEDULE

The Homes Insulation Scheme (Northern Ireland) 1981

Interpretation

1. In this Scheme:—

"dependant" means—

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

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

(*c*) a person who resides in the dwelling in respect of which the application is made and whose requirements are provided for by the applicant or a person described in (*a*) or (*b*) above and who is either under the age of sixteen years or of or over that age but receiving full-time instruction at any university, college or other educational establishment; in determining whether a person undergoing full-time education or instruction is residing in the dwelling in respect of which the application is made, no account shall be taken of that person's absences during term-time;

"disability allowance" means—

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

(*b*) constant attendance allowance under section 61 of the said Act of 1975;

(*c*) 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(**b**);

"full-time instruction at an educational establishment" includes a reference to a person undergoing training for any trade, profession or vocation, in such circumstances that he is required to devote the whole of his time to the training for a period of not less than 2 years;

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

"roof space" means space between the roof of a dwelling 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 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;

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

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

(*b*) 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.

(**a**) 1975 c. 15
(**b**) S.I. 1975/1503 (N.I. 15)

(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 dwelling 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 £90, whichever is the less.

(3) In all other cases the appropriate scale is 66 per cent. of the cost of such works or £65, whichever is the less.

(4) In this paragraph:—

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

(*a*) by a person who has attained the age of 65 years if a man or the age of 60 years if a woman and who is in receipt of a supplementary pension, rent rebate, rent allowance or rate rebate; or

(*b*) by a person who, or one of whose dependants, is in receipt of a disability allowance and who is in receipt of supplementary allowance, rent rebate, rent allowance or rate rebate.

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

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

"a rent rebate or rent allowance" means a rent rebate or rent allowance under Articles 18 and 120 of the Housing (Northern Ireland) Order 1981(**b**) or Article 59 of the Rent (Northern Ireland) Order 1978(**c**);

"a rate rebate" means a rate rebate under Article 28 of the Rates (Northern Ireland) Order 1977(**d**).

Description of dwellings qualifying for grant

4. The dwellings qualifying for grant under this Scheme are all completed dwellings except:—

(*a*) those without any roof space;

(*b*) those without a room which is used or available for use as living accommodation and all or part of which is immediately below any roof space; and

(*c*) those in which all or part of any roof space is insulated.

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 dwellings within the description specified in paragraph 4:—

(*a*) the occupier of such a dwelling;

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

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

(*d*) a person authorised to apply by any person mentioned in sub-paragraphs (*a*) to (*c*).

(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. 1977/2156 (N.I. 27)
(**b**) S.I. 1981/156 (N.I. 3)
(**c**) S.I. 1978/1050 (N.I. 20)
(**d**) S.I. 1977/2157 (N.I. 28)