1976 No. 210

RESETTLEMENT SERVICES

Resettlement Grants Order (Northern Ireland) 1976

Made . . . . . 15*th July* 1976

Coming into operation . . . 1*st September* 1976

To be laid before Parliament under Paragraph 3(3) *of Schedule* 1 *to the Northern Ireland Act* 1974

The Department of the Environment for Northern Ireland in exercise of the powers conferred by section 2 of the Resettlement Services Act (Northern Ireland) 1971(a) and now vested in it(b) and of every other power enabling it on that behalf and with the approval of the Department(c) of Finance hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Resettlement Grants Order (Northern Ireland) 1976 and shall come into operation on 1st September 1976.

Interpretation

2. In this Order:—

"the Belfast Urban Area" means the area surrounded by a thick black line on the map sealed by the Department and marked "Resettlement Grants Order (Northern Ireland) 1976 Belfast Urban Area";

"the Craigavon marked area" means the area surrounded by a black line on the map sealed by the Department and marked "Resettlement Grants Order (Northern Ireland) 1976 Craigavon marked area";

"the Department" means the Department of the Environment for Northern Ireland;

"grant" except in relation to a grant under the Resettlement Grants Order (Northern Ireland) 1974(d), means a grant under Article 4;

"house" includes a flat or maisonette;

"receiving area" means the area surrounded by a black line on each of the two maps sealed by the Department and marked "Resettlement Grants Order (Northern Ireland) 1976", those maps being further marked respectively "Antrim receiving area" and "Craigavon receiving area".

Revocation and transitional provisions

3.—(1) Subject to paragraphs (2) to (5), the Resettlement Grants Order (Northern Ireland) 1974 is hereby revoked.

(a) 1971 c. 10 (N.I.)
(b) Formerly the Ministry of Development: S.R. & O. (N.I.) 1973 No. 504, Art. 7 (II, p. 2992) and 1973 c. 36 Sch. 5 para. 8(1) and latterly the Department of Housing, Local Government & Planning S.I. 1976/424 N.I. 6
(c) Formerly Ministry: *see* 1973 c. 36 Sch. 5 para. 8(1)
(d) S.R. 1974 No. 181 (I, p. 776)

(2) Where, prior to the commencement of this Order, a person has registered with the Development Advice Centre of the Department his intention to apply for a grant under the Resettlement Grants Order (Northern Ireland) 1974 because he intends to resettle in the Bangor, Carrickfergus or Newtownards receiving area as defined in that Order the Department may pay him a grant under that Order if—

(*a*) within six months from the commencement of this Order he resettles in that area by transferring his household to it, and

(*b*) within nine months from that commencement he applies to the Department for payment of the grant.

(3) The Department may pay a grant under the Resettlement Grants Order (Northern Ireland) 1974 to a person who has resettled in the said Bangor, Carrickfergus or Newtownards receiving area prior to the commencement of this Order if he applies to the Department within three months from that commencement for payment of the grant.

(4) The Department may pay a grant under the Resettlement Grants Order (Northern Ireland) 1974 to a person who has resettled in the Antrim or Craigavon receiving area prior to the commencement of this Order if he applies to the Department for payment of the grant within three months from that commencement or three months from the date on which he became eligible for payment of grant, whichever is the later.

(5) Where a grant is paid under paragraph (2), (3) or (4) all the provisions of the Resettlement Grants Order (Northern Ireland) 1974, including provisions about repayment or recovery of grant shall apply as if that Order had not been revoked.

Resettlement grant

4. Subject to the provisions of this Order the Department may pay a grant to a person who resettles in a receiving area after the commencement of this Order.

Eligibility for grant

5.—(1) A person shall not be paid a grant unless he satisfies the Department that—

(*a*) he was not unemployed when he resettled in the receiving area; and

(*b*) he has resettled in a receiving area in a house having a net annual value not exceeding £285 of which he or his wife is the tenant or owner; and

(*c*) he has applied for payment of the grant within three months of resettling as mentioned in sub-paragraph (*b*); and

(*d*) he had not been refused a grant or loan under the Employment and Training Act (Northern Ireland) 1950(e) in respect of his resettlement or proposed resettlement in a receiving area, and he also satisfies the Department that either—

(i) prior to resettlement in the Antrim receiving area he or his wife was resident in the Belfast Urban Area for not less than the six months last past;

(ii) prior to resettlement in the Craigavon receiving area he or his wife was resident in Northern Ireland elsewhere than in the Craigavon marked area for not less than the six months last past.

(e) 1950 c. 29 (N.I.)

(2) For the purposes of this Article a person shall not be considered to have been resident in a house if he resided therein without the consent of the owner, unless the Department determines he is to be considered to have been resident there.

Amount of grant

6.—(1) Without prejudice to paragraph (2) and Articles 7 and 8 and subject to Article 9(2), where a person resettles in a receiving area, the amount of grant payable shall be £450.

(2) Subject to Article 9(2), where a person receives a grant in circumstances where he resettles as first owner-occupier of a house the amount of the grant shall be increased by £50.

(3) Such amount may be paid in such instalments and at such intervals as may be determined by the Department with the approval of the Department of Finance.

(4) If a person otherwise entitled to a grant ceases to reside in the receiving area during the eighteen months following his resettlement and the whole of the grant has not been paid to him, the Department shall make no further payments in respect of the grant.

Additional payments towards expenses of owner-occupiers

7. Where a person receives a grant for resettling in a receiving area as the owner-occupier of a house, the Department may pay three-quarters of the expenses reasonably incurred by him in the acquisition of the house, subject to a maximum payment of £145; or, where the house he resided in immediately before the resettlement was owned by him, may pay three-quarters of the aggregate of the expenses reasonably incurred by him in the disposal of that house and the expenses reasonably incurred by him in the purchase of the house in which he resides in the receiving area, subject to a maximum payment of £240.

Travelling expenses

8. Where a person receives a grant for resettling in a receiving area and at the date of resettlement is in full-time employment in the Belfast Urban Area the Department may pay him 40 new pence for each day, subject to a limit of two pounds for each week, in which he travels from the receiving area to his place of work in the Belfast Urban Area for a period of one year from the date of resettlement.

Prevention of duplication of payments

9.—(1) A person who resettles in a receiving area and has received or is entitled to receive a grant or loan under the Employment and Training Act (Northern Ireland) 1950 in respect of that resettlement shall not receive any grant under this Order for the same resettlement.

(2) Where a person receives or is entitled to receive any payment under Article 30, 32(7) or 37 of the Land Acquisition and Compensation (Northern Ireland) Order 1973(f) in respect of the house in which he resided prior to resettling in a receiving area he may only receive as grant under this Order such amount as when added to the payments which he receives or is entitled to receive under the said Articles would not exceed £450 or, in case of a person entitled to an additional grant of £50 under Article 6(2) of this Order, £500.

(f) S.I. 1973/1896 (N.I. 21)