1976 No. 34

HOUSING

Housing Subsidy Order (Northern Ireland) 1976

Made . . . . . *5th February* 1976

Coming into operation . . . *23rd February* 1976

The Department of Housing, Local Government and Planning(a) with the approval of the Department of Finance(b), in exercise of the powers conferred on it by section 1 of the Housing (No. 2) Act (Northern Ireland) 1946(c) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Housing Subsidy Order (Northern Ireland) 1976 and shall come into operation on 23rd February 1976.

Interpretation

2. In this Order—

"the Department" means the Department of Housing, Local Government and Planning;

"Act of 1945" means the Housing Act (Northern Ireland) 1945(d);

"Act of 1946" means the Housing and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1946(e);

"flat" has the meaning assigned to it by section 30 of the Act of 1945;

"housing accommodation" includes any house, flat, hostel or flatlet referred to in Article 9;

"the Executive" means the Northern Ireland Housing Executive;

"housing association" means a housing association as defined by section 12 of the Act of 1946.

PART I

Application

3.—(1) Save as provided in Article 10 this part of this Order shall apply to housing accommodation provided under a housing scheme approved by the Department under section 1 of the Act of 1945 in respect of which the tender has been submitted for approval to the Department by the Executive(f) after 23rd February 1976.

(2) Part II of the Housing Subsidy Order (Northern Ireland) 1961(g) shall not apply to houses to which this part of this Order applies.

(a) Formerly the Ministry of Health and Local Government for Northern Ireland: *see* S.R. & O. (N.I.) 1964 No. 205 (p. 937) and latterly the Ministry of Development for Northern Ireland: *see* S.R. & O. (N.I.) 1973 No. 504 (II, p. 2292) and *see* 1973 c. 36 Sch. 5 para. 8(1)
(b) Formerly Ministry of Finance: *see* 1973 c. 36 Sch. 5 para. 8(1)
(c) 1946 c. 20 (N.I.)
(d) 1945 c. 2 (N.I.)
(e) 1946 c. 4 (N.I.)
(f) *See* 1971 c. 5 (N.I.) and Orders made under S. 7 and S. 9
(g) S.R. & O. (N.I.) 1961 No. 258 (p. 1042)

General contributions

4. Where a new house in any of the categories specified in the first column of the Schedule to this Order has been completed by the Executive then the Department shall pay to the Executive in respect of that house sixty successive annual contributions of the amount specified in the second column opposite the appropriate category in the first column of the said Schedule.

Special provisions as to hostels

5. Where a hostel for single workers has been completed by the Executive then, subject to the Executive complying with such conditions, if any, as the Department may impose, each part of the hostel designed for separate occupation by such workers shall, for the purposes of this Order, be deemed to be a new house in respect of which sixty annual contributions are payable and the amount of the annual contribution payable in respect of each such part shall be the sum of sixty-four pounds.

Special provisions as to flats

6. Where a building provided by the Executive for the accommodation of workers is divided into flats, each such flat shall, for the purposes of Article 4, be deemed to be a new house in respect of which contributions are payable under that Article.

7.—(1) The provisions of this Article shall apply in respect of any flat completed by the Executive and forming part of a block of flats the whole or any part of which is at least three storeys but less than six storeys.

(2) In addition to any contributions payable in respect of such a flat under Article 4—

(*a*) the Department may pay to the Executive in respect of that flat sixty successive annual contributions not exceeding five pounds and thirty-three pence; and

(*b*) the Department may, where the cost of providing the flats has been substantially affected by the installation of lifts and with the consent of the Department of Finance, pay to the Executive in respect of that flat sixty further successive annual contributions not exceeding forty-eight pounds.

8.—(1) The provisions of this Article shall apply in respect of any flat provided by the Executive and forming part of a block of flats the whole or any part of which is at least six storeys.

(2) In addition to any contributions payable in respect of such a flat under Article 4 the Department may pay to the Executive in respect of that flat sixty successive annual contributions which shall be calculated as equivalent to the amount by which the approved tender price of the flat exceeds the average approved tender price of Executive housing accommodation of similar size and of normal one or two storey construction.

(3) For the purposes of this Article—

(*a*) the expression "approved tender price" means the tender price approved by the Department and includes the price of all ancillary works required in connection with the erection of the flat or house but does not include the cost of land, and "average" means the average over the whole of Northern Ireland for the six monthly period beginning on 1st January or 1st July in which the tender for the flat is submitted by the Executive for approval; and