STATUTORY INSTRUMENTS

1986 No. 1302 (N.I. 14)

The Social Need (Northern Ireland) Order 1986 [F1]

- - - - - - *25th July 1986*

Annotations:
F1 functions transf. by SR 1999/481

Title and commencement

1.—(1) This Order may be cited as the Social Need (Northern Ireland) Order 1986.

(2) This Order shall come into operation on the expiration of two months from the day on which it is made.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

"the Department" means the Department of the Environment;

"district" means a local government district such as is mentioned in section 1(1) of the Local Government Act (Northern Ireland) 1972.

Power to provide financial assistance

3.—(1) The Department may provide financial assistance for any body or person doing or intending to do in a district where there exist one or more areas of social need anything falling within paragraph (2).

(2) Financial assistance under paragraph (1) may be provided for—

(a) the promotion, development or regeneration of commercial, industrial or other economic activity;

(b) the improvement of the environment;

(c) the provision of housing;

(d) the provision of social or community facilities;

(e) the refurbishment or restructuring of buildings;

or for anything not falling within sub-paragraphs (a) to (e) which the Department considers will benefit the district.

(3) Financial assistance under paragraph (1) may include—

(a) grants;

(b) loans;

(c) guarantees;

(d) the taking of any interest in property or in a body corporate.

Conditions attaching to financial assistance under Article 3

4.—(1) In giving financial assistance under Article 3, the Department may impose such conditions as it thinks fit and such conditions may include conditions for repayment in specified circumstances.

(2) Any person who without reasonable excuse fails to comply with any condition subject to which financial assistance was given to him under Article 3 requiring him to inform the Department of any event whereby the financial assistance becomes repayable in whole or in part shall be guilty of an offence and liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum; or

(b) on conviction on indictment, to a fine.

(3) The Department may by notice require any person who has received financial assistance under Article 3, and any person acting on his behalf, to furnish to the Department such information, or to produce for examination on behalf of the Department such books, records or other documents, as may be specified in the notice for the purpose of enabling the Department to determine whether any condition subject to which the financial assistance is given is satisfied or is being complied with or whether the financial assistance has become repayable in whole or in part in accordance with any such condition.

(4) Subject to paragraph (5), a notice under paragraph (3) may require the information to which it relates to be furnished within such time as may be specified in the notice, and may require the books, records or other documents to which it relates to be produced at such time and place as may be so specified.

(5) The time specified in a notice under paragraph (3) for furnishing any information or producing any document shall not be earlier than the end of the period of twenty-eight days beginning with the service of the notice.

(6) Any person who in purported compliance with a notice under paragraph (3) knowingly or recklessly makes any statement or produces any document which is false in a material particular shall be guilty of an offence and liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding three months or to both; or

(b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

(7) Any person who without reasonable excuse fails to comply with a notice under paragraph (3) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(8) Any conditions for repayment imposed under paragraph (1) shall, if the conditions so provide, be a statutory charge and in the event of any financial assistance under Article 3 becoming repayable in circumstances specified in the conditions, the amount of that assistance (as assessed in accordance with the conditions) shall be deemed to be a charge upon any property so specified; and accordingly in Schedule 11 to the Land Registration Act (Northern Ireland) 1970 (matters required to be registered in the Statutory Charges Register) after paragraph 39 there shall be added the following paragraph—