



Housing on Farms Act (Northern Ireland) 1972

1972 CHAPTER 3

An Act to consolidate the Housing on Farms Act (Northern Ireland) 1950 and certain other enactments. [8th February 1972]

Modifications etc. (not altering text)

- C1** Act: transfer of functions (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), [Sch. 5 Pt. 2](#) (with art. 9(2))

PART I

GRANTS FOR PROVISION OF NEW FARMHOUSES

S.1 rep. by 1978 NI 2

2^{F1} Restrictions on the making of grants under Part I.

A grant shall not be paid under this Part in respect of the provision of any new farmhouse where—

- (a) the net annual value of a farmhouse on the farm (other than the new farmhouse) exceeds [^{F2} £300]; or
- (b) any other grant out of money provided by Parliament, or by the Parliament of the United Kingdom, is paid in respect of the provision of the farmhouse; or
- (c) the farmhouse when completed will not conform to such standards as the Ministry may prescribe with respect to siting, accommodation and construction.

F1 Appln. for grant had to be made on or before 31.3.1978 and the building completed by 31.3.1981, [1981 NI 3](#) art.163(2) sch.12

F2 SR 1976/22

Changes to legislation: There are currently no known outstanding effects for the Housing on Farms Act (Northern Ireland) 1972. (See end of Document for details)

3^{F3} Statutory conditions under Part I.

Where a grant is paid by the Ministry under this Part in respect of the provision of a new farmhouse on any farm, the following conditions (in this Act referred to as “the Part I conditions”) shall, until the expiration of the period of five years next after the date of the payment of the grant (in this section referred to as “the relevant period”), apply in relation to such farmhouse and such farm—

- (a) the new farmhouse shall, as soon as practicable, be occupied as the dwelling-house of a person who is engaged in carrying on and directing operations on the farm on which it is situate, and the farmhouse, or any share therein or any part thereof, shall not, without the consent of the Ministry, be used otherwise than as the dwelling-house of such a person and his family;
- (b) the new farmhouse, or any share therein or part thereof, shall not, without the written consent of the Ministry, be transferred, assigned, let or sub-let to any person otherwise than for use as aforesaid;
- (c) any premises previously used as a farmhouse shall not, without the written consent of the Ministry, be used for human habitation;
- (d) the new farmhouse shall not be enlarged, altered or structurally modified so that the superficial area thereof exceeds fifteen hundred square feet;
- (e) an officer or servant of the Ministry duly authorised by it in writing in that behalf may, where the Ministry has reasonable cause to believe that the Part I conditions are not being performed and observed, at all reasonable times enter the new farmhouse and any premises previously used as a farmhouse for the purpose of ascertaining whether those conditions are being duly performed and observed.

F3 Appln. for grant had to be made on or before 31.3.1978 and the building completed by 31.3.1981, [1981 NI 3 art.163\(2\) sch.12](#)

PART II

GRANTS FOR PROVISION OF HOUSES FOR APPROVED WORKERS

S.4 rep. by 1978 NI 2

5 Restrictions on the making of grants under Part II.

A grant shall not be paid under this Part in respect of the provision of any approved worker's house where—

- (a) any other grant out of money provided by Parliament, or by the Parliament of the United Kingdom, is paid in respect of the provision of the house; or
- (b) the house when completed will not conform to such standards as the Ministry may prescribe with respect to siting, accommodation and construction; or
- (c) the house is so constructed as to be capable of being amalgamated with any other house or houses so that such houses together form a single house.

6^{F4} Statutory conditions under Part II.

Where a grant is paid to an applicant by the Ministry under this Part in respect of the provision of an approved worker's house on any farm, the following conditions (in

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this Act referred to as “the Part II conditions”) shall, until the expiration of the period of five years next after the date of the payment of the grant (in this section referred to as “the relevant period”), apply in relation to such house and such farm—

- (a) the house shall as soon as practicable be let to an approved worker employed in the service of the applicant for the purpose of carrying out on the farm agricultural operations of the nature specified in the certificate given by the Ministry of Agriculture in respect of the house under section 4(1);
- (b) the house, or any share therein or part thereof, shall not, without the written consent of the Ministry, be transferred, assigned, let or sub-let otherwise than for occupation by an approved worker, and shall not be occupied by any person other than an approved worker and his family;
- (c) the house shall not be enlarged, altered or structurally modified so that the superficial area thereof exceeds one thousand and fifty square feet, and shall not be amalgamated with any other house or houses so that such houses together form a single house;
- (d) an officer or servant of the Ministry duly authorised by it in writing in that behalf may, where the Ministry has reasonable cause to believe that the Part II conditions are not being performed and observed, at all reasonable times enter the house for the purpose of ascertaining whether those conditions are being duly performed and observed.

<p>F4 Appln. for grant had to be made on or before 31.3.1978 and the building completed by 31.3.1981, 1981 NI 3 art.163(2) sch.12</p>
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Part III (ss.7#9) rep. by 1976 NI 25

PART IV

MISCELLANEOUS AND GENERAL

10 Expenses.

- (1) Expenses incurred by the Ministry (including the amount of any grants payable by the Ministry under this Act) in consequence of the passing of this Act may be defrayed either out of money provided by Parliament or, if the Ministry of Finance so directs, by means of sums charged on and issued out of the Consolidated Fund, and, for the purpose of providing any sums so issued out of the Consolidated Fund, the Ministry of Finance may borrow any sum which it considers fit, so, however, that the aggregate of the sums to be charged on and issued out of the Consolidated Fund under this subsection shall not, unless and until Parliament otherwise determines, exceed £1,000,000.

Subs.(2) rep. by SLR 1980

- (3) Any money borrowed under subsection (1) shall be repaid within any period or periods, not exceeding twenty-five years from the date of borrowing, and provision for such repayment may be made out of money provided by Parliament.

S.11 rep. by 1976 NI 25; 1978 NI 2

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12 Procedure on application for, and payment of, grants.

Subs.(1) spent

- (2) Grants under this Act shall be paid at such times and subject to such conditions as to records, certificates, vouching of expenditure or otherwise as the Ministry may determine.

13 Power to remove statutory conditions where grant repaid.

Where the full amount of any grant paid under this Act in respect of any premises, or an amount not less than that repayable under section 14(3) or which would have been so repayable if, at the time of the repayment, there had been a breach or contravention of a condition, has been repaid to the Ministry, the observance of the conditions imposed under this Act with respect to those premises shall, if the Ministry so directs in writing, cease to be required notwithstanding that the period for which those conditions were imposed has not expired.

14 Offences and penalties.

- (1) Every person guilty of any breach or contravention of any condition imposed by virtue of section 3 or by virtue of section 6 shall, without prejudice to any other liability, be guilty of an offence and shall be liable on summary conviction to a fine not exceeding^[F5] level 5 on the standard scale].

Subs.(2) rep. by 1976 NI 25

- (3) In the event of any breach or contravention of any condition imposed under this Act, there shall become due and repayable to the Ministry, and recoverable upon demand made in writing by the Ministry as a civil debt due to it, such sum as bears to the amount of the grant paid by the Ministry in respect of the premises to which the breach or contravention relates the same proportion as that portion of the period for which the condition was imposed which, at the time of the breach or contravention, remains unexpired bears to the whole of the period.
- (4) Where a person has been convicted of an offence under subsection (1), the court before which he is convicted may, on such conviction, order that, in addition to the amount repayable by him under subsection (3), he shall repay to the Ministry the balance of the grant paid in respect of the premises to which the breach or contravention relates or such lesser sum as the court may consider necessary to remedy the breach or contravention, and that order may, without prejudice to any other remedy, be enforced in like manner as a sum adjudged to be paid by a conviction of that court.
- (5) If, for the purpose of obtaining a grant under this Act, either for himself or for any other person, any person knowingly or recklessly makes any false or fraudulent statement or representation—
- (a) the person making such statement or representation; and
 - (b) any person who received any payment under this Act knowing that such statement or representation had been made;
- shall be guilty of an offence and shall be liable—
- (i) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding^[F5] level 3 on the standard scale], or to both;
 - (ii) on conviction on indictment, to imprisonment for a term not exceeding two years or to^[F5] an unlimited fine], or to both.