



# Housing (Scotland) Act 2001

## 2001 asp 10

### PART 6

#### GRANTS FOR IMPROVEMENT, REPAIRS ETC.

##### *Improvement grants*

#### **101 Amount of grant**

(1) Section 242 (amount of improvement grant) of the 1987 Act is amended as follows.

(2) For subsection (1), substitute—

“(1) Subject to the following provisions of this section—

- (a) the approved expense shall not exceed £20,000, or such other amount as may be prescribed, in respect of each house to which the application relates,
- (b) the amount of improvement grant payable shall be—
  - (i) the approved expense under deduction (where applicable) of the applicant’s contribution, or
  - (ii) where subsection (1A) applies, the amount determined by virtue of that subsection,

whichever is the greater.

(1A) In such cases as the Scottish Ministers may specify in regulations, the amount for the purposes of subsection (1)(b)(ii) shall be such percentage of the approved expense as may be so specified; and such regulations may make different provision for different cases or classes of case.

(1B) Where the amount of improvement grant payable is that determined by virtue of subsection (1A), the grant is referred to in this Part as a “minimum percentage grant”.

(1C) Regulations under subsection (1A) shall be made by statutory instrument and shall not be made unless a draft has been laid before, and approved by a resolution of, the Scottish Parliament.”

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*Status: This is the original version (as it was originally enacted).*

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- (3) In subsection (2), for “(1)” substitute “(1)(a)”.
- (4) In subsection (4)—
- (a) for “amount than that payable” substitute “approved expense than that which may be fixed”,
  - (b) for “that amount” substitute “the approved expense”.
- (5) For subsection (5) substitute—
- “(5) Subsection (5A) applies in relation to an application for an improvement grant, other than—
- (a) an application to which section 244 applies, or
  - (b) an application in respect of works for the benefit of a disabled occupant within the meaning of section 236(3).
- (5A) Where this subsection applies, the maximum approved expense for the purposes of subsection (1)(a) shall be reduced by the total amount of any qualifying grants and assistance in respect of the same house which have been paid or approved for payment within the period of 10 years preceding the date on which the application is determined.
- (5B) In subsection (5A), “qualifying grants and assistance” means—
- (a) improvement grants, other than—
    - (i) grants under section 244,
    - (ii) grants in respect of works for the benefit of a disabled occupant within the meaning of section 236(3), and
    - (iii) minimum percentage grants,
  - (b) repairs grants, other than minimum percentage grants, and
  - (c) assistance under section 42(4) of the Crofters (Scotland) Act 1993 (c. 44).”