



# Housing Grants, Construction and Regeneration Act 1996

## 1996 CHAPTER 53

### PART I

#### GRANTS, &C. FOR RENEWAL OF PRIVATE SECTOR HOUSING

#### CHAPTER I

#### THE MAIN GRANTS

#### *Preliminary conditions*

### **3 Ineligible applicants.**

- (1) No grant is payable under this Chapter unless the applicant is aged 18 or over on the date of the application.

In the case of a joint application, any applicant under the age of 18 years on the date of the application shall be left out of account.

- (2) No grant is payable under this Chapter if the person who would otherwise qualify as the applicant for the grant is—
- (a) a local authority;
  - (b) a new town corporation;
  - (c) an urban development corporation;
  - (d) a housing action trust;
  - (e) the Development Board for Rural Wales;
  - (f) a health authority, special health authority or NHS trust;
  - (g) a police authority established under section 3 of the <sup>M1</sup>Police Act 1964;
  - (h) a joint authority established by Part IV of the <sup>M2</sup>Local Government Act 1985;

*Status: Point in time view as at 17/12/1996.*

*Changes to legislation: There are currently no known outstanding effects for the Housing Grants, Construction and Regeneration Act 1996, Cross Heading: Preliminary conditions. (See end of Document for details)*

- (i) a residuary body established by Part VII of that Act; or
  - (j) an authority established under section 10(1) of that Act (waste disposal).
- (3) No grant is payable under this Chapter if the applicant is of a description excluded from entitlement to grant aid by regulations made by the Secretary of State.
- (4) Regulations under subsection (3) may proceed wholly or in part by reference to the provisions relating to entitlement to housing benefit, or any other form of assistance, as they have effect from time to time.

#### Commencement Information

- II** S. 3 wholly in force; S. 3 not in force at Royal Assent see s. 150; S. 3 in force for certain purposes at 11.9.1996 by S.I. 1996/2352, art. 2(2); s. 3 in force insofar as not already in force at 17.12.1996 by S.I. 1996/2842, art. 3

#### Marginal Citations

- M1** 1964 c. 48.  
**M2** 1985 c. 51.

#### 4 The age of the property.

- (1) A local housing authority shall not entertain an application for a grant in respect of premises provided (by construction or conversion) less than ten years before the date of the application, unless—
- (a) the application is for a disabled facilities grant, or
  - (b) the application is for an HMO grant in respect of a house in multiple occupation provided by conversion.
- (2) The Secretary of State may by order amend subsection (1) so as to substitute another period for that specified.

#### 5 Excluded descriptions of works.

- (1) No grant is payable in respect of works of a description excluded from grant aid under this Chapter by regulations made by the Secretary of State.
- (2) Regulations may be made with respect to local housing authorities generally or to a particular local housing authority and may be made with respect to particular areas.
- (3) Regulations may specify descriptions of works for which grant aid is not to be available without the Secretary of State's consent, which may be given—
- (a) to local housing authorities generally or to a particular local housing authority,
  - (b) with respect to particular areas, or
  - (c) with respect to applications generally or to a particular description of application.

#### 6 Defective dwellings.

- (1) No grant is payable if—

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- (a) the dwelling, house or building is or forms part of a building of a class designated under section 528 or 559 of the <sup>M3</sup>Housing Act 1985 (defective dwellings),
  - (b) the applicant is eligible for assistance under Part XVI of that Act in respect of a defective dwelling which is or forms part of the dwelling, house or building concerned, and
  - (c) the relevant works are, within the meaning of that Part, works required to reinstate that defective dwelling.
- (2) If the local housing authority consider that the relevant works include works for which assistance is available under Part XVI of the Housing Act 1985 (assistance for owners of defective housing), they shall treat the application as if the relevant works did not include those works.

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**Marginal Citations**

**M3** 1985 c. 68.

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