

1988 No. 884

HOUSING, ENGLAND AND WALES

**The Housing Defects (Reinstatement Grant)
(Amendment of Conditions for Assistance) Order 1988**

Made - - - - - 13th May 1988
Coming into force 16th May 1988

The Secretary of State for the Environment, in relation to England, and the Secretary of State for Wales, in relation to Wales, in exercise of the powers conferred on them by section 538(2) of the Housing Act 1985(a), and of all other powers enabling them in that behalf, hereby make the following Order, a draft of which has been laid before and approved by a resolution of each House of Parliament:-

1. This Order may be cited as the Housing Defects (Reinstatement Grant) (Amendment of Conditions for Assistance) Order 1988 and shall come into force on 16th May 1988.
2. The conditions for assistance by way of reinstatement grant set out in section 538(1) of the Housing Act 1985 are amended by the omission of paragraph (d).

12th May 1988

Nicholas Ridley
Secretary of State for the Environment

13th May 1988

Peter Walker
Secretary of State for Wales

(a) 1985 c.68.

EXPLANATORY NOTE

(This note is not part of the Order)

Under Part XVI of the Housing Act 1985 ("the Act") the owner of a defective dwelling (one in a class designated by the Secretary of State or the local housing authority) can, if the appropriate conditions are satisfied, require the local housing authority either to give him a grant towards the reinstatement of the dwelling or to repurchase it. The conditions for determining whether assistance takes the form of a reinstatement grant or repurchase at 95% defect-free value, are set out in sections 537 and 538 of the Act. One of those conditions (section 538(1)(d)) is that if the amount of grant is likely to exceed the total amount payable on repurchase (including incidental expenses) assistance must be by way of repurchase.

This Order provides for that condition to be omitted. By virtue of section 538(4) of the Act, applications for assistance made before this Order comes into force are not affected.

45p net

ISBN 0 11 086884 6