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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force provisions of the Housing Grants, Construction and Regeneration Act 1996 (“the 1996 Act”) concerning private sector housing renewal grants (Part I) and architects (Part III).

Article 2 of this Order brings into force on 13th November 1996 so much of section 31 of the 1996 Act as enables the Secretary of State to make regulations.

Article 3 of the Order brings into force on 17th December 1996, in so far as those sections are not already in force (see S.I.1996/2352 (C.61)), sections 1 to 59 in Chapter I (the main grants), sections 60 to 73 and 75 in Chapter II (group repair schemes), sections 76 to 78 and 80 in Chapter III (home repair assistance), sections 81 to 85, 87, 88, 90 and 91 in Chapter IV (deferred action notices, &c.) and sections 92, 93 and 95 to 103 in Chapter V (supplementary provisions) of Part I (grants, &c. for renewal of private sector housing) of the 1996 Act. Subject to article 7, section 147 (repeals and revocations) of the 1996 Act, in so far as it relates to Part I of Schedule 3 to that Act, is also brought into force on 17th December 1996.

Article 4 of the Order brings into force on 1st April 1997 the remainder of Part III (architects) of the 1996 Act and section 147, in so far as it relates to Part II of Schedule 3 to that Act.

Subject to transitional provisions, the sections in Part I of the 1996 Act replace sections in Part VIII of the Local Government and Housing Act 1989 (grants towards cost of improvements and repairs, etc.) (“the 1989 Act”). The new provisions establish a framework of grants which enables local housing authorities to give financial assistance for the improvement of dwellings. The new provisions also modify the scope of, and arrangements for, the approval and payment of mandatory and discretionary disabled facilities grant.

Article 5 of the Order makes further provision in relation to applications for grant made after 2nd February 1996 under Part VIII of the 1989 Act and neither approved nor refused by 17th December 1996. By virtue of the transition provisions in section 102 of the 1996 Act these applications will be dealt with after 16th December 1996 as if sections 112 (duty to approve applications to render certain dwellings fit for human habitation) and 113 (duty to approve applications arising out of certain statutory notices) of the 1989 Act were omitted from Part VIII. Article 5(2) makes further adaptations to that Part, in consequence of the omission of those sections.

Article 6 provides for information to be given to persons who have made applications which are the subject of those transitional provisions.

Article 7 revokes the subordinate legislation listed in the Schedule to the Order.

Article 8 makes a saving from the repeal (effected by article 3) of section 132(5)(a) of Part VIII of the 1989 Act relating to the payment of subsidy on grants approved under section 461 of the Housing Act 1985 before 1st July 1990. It also preserves the operation of Part VIII of the 1989 Act and the subordinate legislation listed in the Schedule to the Order for purposes connected with certain grants approved and grant applications made before 17th December 1996.