1976 No. 34

HOUSING

Housing Subsidy Order (Northern Ireland) 1976

Made . . . . . *5th February* 1976

Coming into operation . . . *23rd February* 1976

The Department of Housing, Local Government and Planning(a) with the approval of the Department of Finance(b), in exercise of the powers conferred on it by section 1 of the Housing (No. 2) Act (Northern Ireland) 1946(c) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Housing Subsidy Order (Northern Ireland) 1976 and shall come into operation on 23rd February 1976.

Interpretation

2. In this Order—

"the Department" means the Department of Housing, Local Government and Planning;

"Act of 1945" means the Housing Act (Northern Ireland) 1945(d);

"Act of 1946" means the Housing and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1946(e);

"flat" has the meaning assigned to it by section 30 of the Act of 1945;

"housing accommodation" includes any house, flat, hostel or flatlet referred to in Article 9;

"the Executive" means the Northern Ireland Housing Executive;

"housing association" means a housing association as defined by section 12 of the Act of 1946.

PART I

Application

3.—(1) Save as provided in Article 10 this part of this Order shall apply to housing accommodation provided under a housing scheme approved by the Department under section 1 of the Act of 1945 in respect of which the tender has been submitted for approval to the Department by the Executive(f) after 23rd February 1976.

(2) Part II of the Housing Subsidy Order (Northern Ireland) 1961(g) shall not apply to houses to which this part of this Order applies.

(a) Formerly the Ministry of Health and Local Government for Northern Ireland: *see* S.R. & O. (N.I.) 1964 No. 205 (p. 937) and latterly the Ministry of Development for Northern Ireland: *see* S.R. & O. (N.I.) 1973 No. 504 (II, p. 2292) and *see* 1973 c. 36 Sch. 5 para. 8(1)
(b) Formerly Ministry of Finance: *see* 1973 c. 36 Sch. 5 para. 8(1)
(c) 1946 c. 20 (N.I.)
(d) 1945 c. 2 (N.I.)
(e) 1946 c. 4 (N.I.)
(f) *See* 1971 c. 5 (N.I.) and Orders made under S. 7 and S. 9
(g) S.R. & O. (N.I.) 1961 No. 258 (p. 1042)

General contributions

4. Where a new house in any of the categories specified in the first column of the Schedule to this Order has been completed by the Executive then the Department shall pay to the Executive in respect of that house sixty successive annual contributions of the amount specified in the second column opposite the appropriate category in the first column of the said Schedule.

Special provisions as to hostels

5. Where a hostel for single workers has been completed by the Executive then, subject to the Executive complying with such conditions, if any, as the Department may impose, each part of the hostel designed for separate occupation by such workers shall, for the purposes of this Order, be deemed to be a new house in respect of which sixty annual contributions are payable and the amount of the annual contribution payable in respect of each such part shall be the sum of sixty-four pounds.

Special provisions as to flats

6. Where a building provided by the Executive for the accommodation of workers is divided into flats, each such flat shall, for the purposes of Article 4, be deemed to be a new house in respect of which contributions are payable under that Article.

7.—(1) The provisions of this Article shall apply in respect of any flat completed by the Executive and forming part of a block of flats the whole or any part of which is at least three storeys but less than six storeys.

(2) In addition to any contributions payable in respect of such a flat under Article 4—

(*a*) the Department may pay to the Executive in respect of that flat sixty successive annual contributions not exceeding five pounds and thirty-three pence; and

(*b*) the Department may, where the cost of providing the flats has been substantially affected by the installation of lifts and with the consent of the Department of Finance, pay to the Executive in respect of that flat sixty further successive annual contributions not exceeding forty-eight pounds.

8.—(1) The provisions of this Article shall apply in respect of any flat provided by the Executive and forming part of a block of flats the whole or any part of which is at least six storeys.

(2) In addition to any contributions payable in respect of such a flat under Article 4 the Department may pay to the Executive in respect of that flat sixty successive annual contributions which shall be calculated as equivalent to the amount by which the approved tender price of the flat exceeds the average approved tender price of Executive housing accommodation of similar size and of normal one or two storey construction.

(3) For the purposes of this Article—

(*a*) the expression "approved tender price" means the tender price approved by the Department and includes the price of all ancillary works required in connection with the erection of the flat or house but does not include the cost of land, and "average" means the average over the whole of Northern Ireland for the six monthly period beginning on 1st January or 1st July in which the tender for the flat is submitted by the Executive for approval; and

(*b*) the calculation of the amount of the annual contributions shall rest with the Department and shall be based on the rate of interest in force for loans for housing purposes from the Government Loans Fund at the date on which the tender is accepted by the Executive.

Special provisions as to housing accommodation for old people

9.—(1) Where a building has been completed by the Executive for the accommodation of old people each part of the building designed as a flatlet for separate occupation by one or two old persons and including a kitchen fitted with sink, cooker, larder and means of water heating shall, for the purposes of Article 4, be deemed to be a new house in respect of which sixty successive annual contributions are payable and the amount of the annual contribution payable in respect of each such part shall be the sum of one hundred pounds.

(2) Where hostel accommodation has been completed by the Executive exclusively for old people then subject to the Executive complying with such conditions, if any, as the Department may impose, each part of the hostel designed for separate occupation by one or two old persons shall, for the purposes of Article 4, be deemed to be a new house in respect of which sixty successive annual contributions are payable and the amount of the annual contribution payable in respect of each such part shall be the sum of eighty pounds.

Application to housing associations

10.—(1) Subject to paragraph (2) the Department shall, in pursuance of section 1 of the Act of 1945 as applied to housing associations by virtue of section 12 of the Act of 1946, pay to a housing association in respect of any housing accommodation completed by that association the like sixty successive annual contributions as would have been payable by the Department to the Executive under this Order if the housing accommodation had been completed by the Executive.

(2) The foregoing provisions of this Order shall apply to a housing association, except that in Article 3 for the condition that the tender has been submitted for approval to the Department after 23rd February 1976 there shall be substituted the condition that the tender has been accepted by a housing association after that date.

PART II

Special contributions

11. The Department may pay to the Executive in each financial year in respect of each house, flat, flatlet or part of a hostel designed for separate occupation completed by a local authority, the Northern Ireland Housing Trust a new town commission or the Executive after the passing of the Act of 1945 in pursuance of a housing scheme approved under section 1 of that Act, a special contribution not exceeding one hundred and five pounds.

Sealed with the Official Seal of the Department of Housing, Local Government and Planning for Northern Ireland on 5th February 1976.

(L.S.) *R. B. Spence*
Assistant Secretary

The Department of Finance hereby approves the foregoing Order.

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 5th February 1976.

(L.S.) *C. F. Darling*
Senior Assistant Secretary

SCHEDULE

Amount of contributions payable under Article 4

Category of house (1)	*Amount of contribution payable by Department* (2)
Flats of less than 650 square feet	£796
(i) Old People's dwellings irrespective of size (ii) Dwellings designed to accommodate up to 3 persons	£800
Dwellings designed to accommodate 4 persons	£804
Dwellings designed to accommodate 5 persons	£808
Dwellings designed to accommodate 6 persons	£812
Dwellings designed to accommodate 7 persons	£820

EXPLANATORY NOTE

(This note is not part of the Order but is intended to indicate its general purport.)

Part I provides for the payment of subsidies to the Northern Ireland Housing Executive and to housing associations for housing accommodation in respect of which tenders have been submitted for approval to the Department by the Executive or accepted by a housing association after 23rd February 1976. General contributions are payable in respect of houses and flats. Special contributions are payable in respect of hostels for single workers, flats in blocks exceeding three storeys in height and certain accommodation for old people. The rates of subsidy are unchanged.

Part II provides for the payment to the Executive of special annual contributions not exceeding £105 in respect of all housing accommodation completed by a local authority, the Northern Ireland Housing Trust, a new town commission and the Executive in accordance with a housing scheme approved after 6th February 1945.