Housing Act 1964

1964 CHAPTER 56

PART V

MISCELLANEOUS AND GENERAL

Aluminium Houses

92 Financial provisions in connection with premature demolition of " B.2 " houses

(1) A house to which this section applies is one—

(a) provided by a local authority in the exercise of their powers to provide housing accommodation;

(b) completed during the period beginning with 1st January 1947 and ending with 31st December 1951;

(c) approved for the purposes of the Act of 1946 by the Minister of Health or by the Minister ; and

(d) of the type known to local authorities who have such powers as aforesaid as " B.2 detached " (being a type of one-storeyed house constructed substantially of alloy of which the principal component is aluminium).

(2) Where, after the coming into force of this section, a house to which this section applies is, with the previous approval of the Minister, demolished by or on behalf of the authority who provided it by reason of its having been (or being certain to become) irreparably damaged by corrosion or, before the coming into force of this section, such a house has, with the like approval, been so demolished by reason aforesaid, the following provisions shall have effect, that is to say—

(a) the Minister shall, for each of the residuary contribution years, pay to the authority in respect of the house (in addition to the annual exchequer contributions in respect thereof) the sum mentioned in subsection (3) below; and

(b) where the amount of each of those contributions would, apart from this paragraph, be more than sixteen pounds ten shillings—

(i) it shall, for each of those years, be reduced to sixteen pounds ten shillings, and

(ii) any liability to make a county council contribution in respect of the house for each of those years shall be determined.

(3) The sum referred to in subsection (2)(a) above is one equal to each of the annual instalments by means of which a loan, of an amount equal to what, by virtue of subsection (4) below, is to be taken to be the cost of the house, would fall to be repaid had it been raised on the completion of the house on terms that it should be repaid, with interest thereon at the appropriate rate, by means of sixty equal annual instalments of principal and interest combined falling due on the anniversary of the date on which it was raised, the first such instalment falling due on the first such anniversary.

For the purposes of this subsection the appropriate rate of interest—

(a) if the house was completed on or before 2nd January 1948, is two-and-a-half per cent.;

(b) if the house was completed after that date, is three per cent.

(4) For the purposes of subsection (3) above, the cost of the house shall be taken to be the sum determined by the Minister, by reference to the net cost to the local authority who provided it of providing all the houses provided by them to which this section applies, to be the average cost to the authority of providing one such house, the net cost to the authority of providing all those houses being taken for this purpose to be the cost to the authority of providing them, as reduced by grants made to the authority under section 17 of the Act of 1946 in respect of any of them, and further reduced by leaving out of account expense incurred by the authority in acquiring the sites of those houses or in executing any of the following works in connection with them, that is to say—

(a) works for the laying out of streets forming means of access to them;

(b) works (whether for the provision for the houses of sewerage facilities or a supply of electricity, gas or water, or for any other purpose whatsoever) executed outside the houses and any yard, garden, outhouse or appurtenances belonging to them.

(5) In accordance with subsection (2)(b) above—

(a) where, before the coming into force of this section, there has, for a residuary contribution year, been made to a local authority, in respect of a house to which this section applies which is, or has been, demolished as mentioned in that subsection, an annual exchequer contribution of an amount exceeding sixteen pounds ten shillings, the authority shall be liable to repay the excess to the Minister ; and

(b) where, before the coming into force of this section, there has, for any such year, been made to a local authority, in respect of such a house which is, or has been, demolished as aforesaid, a county council contribution, the authority shall be liable to repay it to the council of the county who made it.

(6) A liability which, by virtue of subsection (5)(a) above, a local authority are under to repay a sum to the Minister may be discharged in whole or part by way of deduction made by the Minister from any annual contribution payable by him to the authority, being a contribution the liability for whose payment by him under the Act of 1946 is preserved by section 59(4) of the Act of 1958 notwithstanding the repeal of the 1946 Act by that section.

(7) The amounts which by paragraph 1 of Schedule 5 to the Act of 1958 a local authority who are required to keep a Housing Revenue Account are required in each financial year to carry to the credit of that account shall include an amount equal to the sums payable by virtue of subsection (2)(a) above to the authority for that year.

(8) In this section—

(a) " the Act of 1946 " means the Housing (Financial and Miscellaneous Provisions.) Act 1946;

(b) " annual exchequer contributions " means, in relation to a house to which this section applies, the annual contributions in respect of the house the liability for whose payment under the Act of 1946 to the local authority who provided it by the Minister is preserved by section 59(4) of the Act of 1958 notwithstanding the repeal of the Act of 1946 by that section;

(c) " county council contribution " means, in relation to a house to which this section applies, the annual contribution in respect of the house the liability for whose payment under section 8 of the Act of 1946 to the local authority who provided it (where they were the council of a county district) by the council of the county in which the district is situated is preserved as aforesaid ;

(d) " residuary contribution years " means, in relation to a house to which this section applies which is, or has been, demolished as mentioned in subsection (2) above, such of the sixty years following the completion of the house as remain unexpired at the expiration of the one in which the house is vacated in order that it may be demolished or, as the case may be, was vacated in order that it might be demolished.

(9) Subsections (1), (2), (3), (4) and (8) above shall apply in relation to a development corporation established under the New Towns Act 1946 and to a house provided by such a corporation as they apply in relation to a local authority and to a house provided by a local authority, but subject to the following modifications—

(a) subsections (2) (b) and (8)(c) shall not apply;

(b) in subsection (4) the words " as reduced by grants made to the authority under section 17 of the Act of 1946 in respect of any of them, and further" shall be omitted;

(c) in subsection (8)(b), for the references to the Act of 1946 there shall be substituted references to section 8(2) of the New Towns Act 1946,

(10) This section shall apply to Scotland subject to the following modifications:—

(a) subsection (2)(b)(ii), subsection (5)(b), subsection (8)(c) and subsection (9) shall not apply;

(b) for the references to the Minister of Health and to the Minister there shall be substituted references to the Secretary of State;

(c) in subsection (1)(c), for the reference to the Act of 1946 there shall be substituted a reference to the Housing (Financial Provisions) (Scotland) Act 1946;

(d) in subsections (2) and (8) (b), references to the authority who provided a house to which this section applies shall include references to the authority to whom any such house belongs;

(e) in subsections (2)(b) and (5)(a), for the references to sixteen pounds ten shillings there shall be substituted references to twenty-one pounds ten shillings;

(f) in subsection (4), for the references to section 17 of the Act of 1946 and to appurtenances there shall be substituted respectively references to section 15 of the Housing (Financial Provisions) (Scotland) Act 1946 and to pertinents;

(g) in subsections (6) and (8)(b), for the references to an annual contribution the liability for whose payment under the Act of 1946 is preserved by section 59(4) of the Act of 1958 notwithstanding the repeal of the Act of 1946 by that section, there shall be substituted references to an annual contribution payable under section 84 or section 86 of the Act of 1950 ;

(h) in subsection (7), for the reference to paragraph 1 of Schedule 5 to the Act of 1958 there shall be substituted a reference to section 138(1) of the Act of 1950.

(11) Any sums paid to local authorities under this section shall be paid out of money provided by Parliament.

93 Arrangements for demolition of " B.2 " houses by Minister of Public Building and Works

(1) The Minister may make arrangements with the Minister of Public Building and Works whereby, on behalf of and at the expense of the Minister, the Minister of Public Building and Works, if requested so to do by a local authority or development corporation, will demolish a house provided by them whose demolition has been approved under subsection (2) of the last foregoing section and (having demolished it) will, if so requested, execute such works as may be required for clearing the land constituting the site of the house of any substructure and other materials affixed to the land for the purposes of the erection of the house.

(2) Materials and other things rendered available by the demolition, after the coming into force of this section, of a house whose demolition is approved as aforesaid (whether the demolition is carried out by the local authority or development corporation who provided it or by the Minister of Public Building and Works under arrangements made as aforesaid) and materials and other things rendered available by the execution by that Minister, under such arrangements, of works for clearing land shall be held or disposed of for the benefit of the Crown in such manner as the Minister may determine.

(3) In this section " development corporation" means a development corporation established under the New Towns Act 1946.

(4) In the application of this section to Scotland—

(a) for the references to the Minister there shall be substituted references to the Secretary of State;

(b) the references to a development corporation shall be omitted;

(c) in subsection (1), the reference to a house provided by a local authority shall include a reference to a house belonging to a local authority;

(d) in subsection (2), the reference to the local authority who provided a house whose demolition is approved shall include a reference to the local authority to whom any such house belongs.

(5) Any expenses incurred by the Minister in connection with arrangements under this section shall be paid out of money provided by Parliament.

94 Grants for replacement of corroded parts of " B.L.8 " houses in England and Wales

(1) A house to which this section applies is one—

(a) provided, completed and approved as mentioned in section 92(1) of this Act; and

(b) of a type known to local authorities who have powers to provide housing accommodation as " B.L.8 semidetached " (being a type of one-storeyed house constructed substantially of alloy of which the principal component is aluminium).

(2) Where, with the previous approval of the Minister, a house to which this section applies (other than one falling within subsection (3) below) is subjected by the authority who provided it to replacement of such of the parts thereof as have become, or are liable to become, corroded (whether the initiation of the works for replacement is before or after the coming into force of this section), the Minister shall pay to the authority such sum as is mentioned in subsection (4) below.

(3) In the case of a house to which this section applies which, before the coming into force of this section, has, at the instance of the Minister, been subjected as mentioned in subsection (2) above in accordance with a scheme heretofore promoted by him with the object of determining what it costs to subject a house to such replacement as is so mentioned, the Minister shall pay to the authority a sum equal to the cost incurred by them in subjecting the house to such replacement.

(4) The sum referred to in subsection (2) above is such sum (not exceeding two hundred pounds) as the Minister, having regard to the results obtained from the operation of any such scheme as is mentioned in subsection (3) above, with the approval of the Treasury determines to be equal to the reasonable average cost to local authorities of subjecting a house to which this section applies to such replacement as is mentioned in the said subsection (2).

(5) Any sums paid to local authorities under this section shall be paid out of money provided by Parliament.

(6) This section shall not apply to Scotland.

Miscellaneous

95 Amendments of Clean Air Act 1956 relating to dwellings

(1) For the purposes of section 12(1) of the Clean Air Act 1956 (which provides for the making by local authorities of payments for adaptations of fireplaces in dwellings other than new dwellings) and of section 13(1)(b) and (c) of that Act (under which the Minister may contribute to expenses incurred by a local authority in carrying out adaptations of fireplaces in dwellings owned or controlled by them or, in the exercise of their default powers, in other dwellings, but not in any new dwellings) a new dwelling means a dwelling which either—

(a) was erected after the time when this section comes into force, or

(b) was produced by conversion, after that time, of other premises, with or without the addition of premises erected after that time,

and for the purposes of this subsection, a dwelling or premises shall not be treated as erected or converted after that time unless the erection or conversion was begun thereafter.

(2) If, after an order has been made by a local authority under section 11 of the said Act of 1956 declaring any area to be a smoke control area (not being an order varying a previous order so made) and before notice of its making is first published in accordance with Schedule 1 to that Act, the authority pass a resolution designating any class of heating appliance as being, in their opinion, unsuitable for installation in that area as tending, by reason of its consumption of fuel (of whatever kind) or its consumption thereof at the times when it is generally used, to impose undue strain on the fuel resources available for that area then, if the order is confirmed, no payment shall be made by that authority under the said section 12(1) in respect of expenditure incurred in providing, or in executing works for the purpose of the installation of, any heating appliance of that class in or in connection with a dwelling within the area to which the order, as confirmed, relates; and accordingly all such expenditure shall be left out of account for the purposes of that subsection.

(3) No payment shall be made under the said section 12(1) by a local authority in respect of expenditure incurred after the coming into force of this section in providing, or in executing works for the purpose of the installation of, any heating appliance which, when the expenditure was incurred, fell within any class of appliance for the time being designated for the purposes of this subsection by the Minister as being in his opinion—

(a) unsuitable for installation in the area of that authority as tending, by reason aforesaid, to impose undue strain on the fuel resources available for that area, or

(b) generally unsuitable for installation in England and Wales as tending, by reason aforesaid, to impose undue strain on the fuel resources available for England and Wales;

and accordingly all such expenditure shall be left out of account for the purposes of that subsection:

Provided that this subsection shall not apply to expenditure in respect of which the approval of the local authority was given for the purposes of the said section 12(1) at a time (including any time before the coming into force of this section) when the appliance in question did not fall within a class of appliance for the time being designated for the purposes of this subsection by the Minister as regards the area of that authority or generally.

(4) For the purposes of the said section 12(1), the approval of a local authority to the incurring of expenditure may, if the authority think fit in the circumstances of any particular case, be given after the expenditure has been incurred if—

(a) the expenditure was incurred at a time after the coming into force of this section, and

(b) in the case of expenditure incurred in providing, or in executing works for the purpose of the installation of, a heating appliance, the appliance did not at that time, and does not when the approval is given, fall within a class of appliance for the time being designated by the Minister for the purposes of subsection (3) above as regards the area of that authority or generally.

(5) At any time after an order made by a local authority under section 11 of the said Act of 1956 has been confirmed, that authority may, if they think fit in the circumstances

of any particular case, give their approval, for the purposes of the said section 12(1), to the incurring of expenditure which was incurred after the making but before the confirmation of the order, being expenditure such that, if the order had been confirmed immediately before it was incurred, they would, at the time when the approval is given under this subsection, have had power to give it under the last foregoing subsection ; and where the approval of a local authority is given under this subsection as regards any expenditure, the said section 12(1) shall apply in relation to that expenditure as if that expenditure had been incurred immediately after the confirmation of the order.

(6) In section 13(1)(a) of the said Act of 1956 (under which the Minister may contribute to expenses incurred by a local authority in making payments under the said section 12(1) which they are bound thereby to make) the words "which they are bound thereby to make " shall cease to have effect except for the purposes of the application of that paragraph to expenses incurred before the coming into force of this section.

(7) The amount of the contribution which, under section 13(1)(c) of the said Act of 1956, the Minister may make in respect of any expenses incurred by a local authority in carrying out (in the exercise of the default powers conferred by section 12(2) or 12(3)(c) of that Act) adaptations required by a notice under the said section 12(2) in or in connection with a dwelling which is not a new dwelling shall, in the case of expenses so incurred after the coming into force of this section, be equal to four-sevenths of the amount arrived at by deducting from the amount of those expenses that fraction thereof (whether three-tenths or some smaller fraction determined by the local authority, in the case of those expenses, in pursuance of the said section 12(2) or 12(3)(c)) which the local authority have power to recover from the occupier or owner by virtue of the said section 12(2) or 12(3)(c).

(8) So much of section 13(2) of the said Act of 1956 as regulates the amount of a contribution made by the Minister under the said section 13(1)(c) shall not apply to any such contribution made in respect of expenses incurred after the coming into force of this section.

(9) In section 14(1) of the said Act of 1956 (which specifies, by reference to a list of works, the kinds of adaptations of fireplaces to which sections 12 and 13 of that Act apply) after paragraph (c) there shall be added the following paragraph—

> "(cc) providing gas ignition, electric ignition or any other special means of ignition ; or";

and for the purposes of the said section 14(1) the provision of any igniting apparatus or appliance (whether fixed or not) operating by means of gas, electricity or any other special means shall be deemed to be the execution of works.

(10) In the application of this section to Scotland—

(a) for the references to the Minister there shall be substituted references to the Secretary of State, and

(b) in subsection (3), for the references to England and Wales there shall be substituted references to Scotland.

96 Local authorities' power to assist in provision of separate service pipes for houses

(1) A local authority may if they think fit give assistance in respect of the provision of a separate service pipe for a house which has a piped supply of water from a water main, but no separate service pipe.

(2) Subject to this section, the assistance shall be by way of making a grant in respect of all or any part of the expenses incurred in the provision of the separate service pipe.

(3) If the local authority are themselves the statutory water undertakers by whom water will be supplied by means of the separate service pipe, and themselves provide or assist in providing the separate service pipe, they may, instead of, or in addition to, making a grant under the last foregoing subsection, remit all or any part of the expenses incurred by them in providing the separate service pipe, being expenses which would otherwise be recoverable from a person having an interest in the house.

(4) The reference to expenses in subsection (2) of this section includes, in a case where all or any part of the works required for the provision of the separate service pipe are carried out by statutory water undertakers (whether in exercise of default powers or in any other case), a reference to sums payable by the owner of the house, or any other person, to the statutory water undertakers for carrying out the works.

(5) In this section " local authority " means the council of a county borough, London borough or county district or the Common Council of the City of London; and, in relation to any house, references to the local authority are references to the local authority in whose district the house is situated.

(6) In the application of this section to Scotland—

(a) for the references to the statutory water undertakers there shall be substituted references to the local water authority as defined in section 5(4) of the Water (Scotland) Act 1946;

(b) " local authority" means a local authority for the purposes of the Act of 1950.

97 Exchequer contributions for local authorities buying or holding unfit houses for temporary accommodation

(1) In section 13(2)(b) of the Act of 1958 (under which the Minister may make annual payments for fifteen years of three pounds to any local authority in respect of unfit houses bought or held by them) for the words " three pounds " there shall, in relation to houses approved for the purposes of that section after 13th November 1963, be substituted the words " eight pounds ".

(2) In section 4(2)(b) of the Scottish Act of 1954 (under which the Secretary of Stare may make annual payments for fifteen years of seven pounds five shillings to any local authority in respect of unfit houses bought or held by them) for the words " seven pounds five shillings " there shall, in relation to houses approved for the purposes of that section after 13th November 1963, be substituted the words " twelve pounds five shillings ".

98 Extension of exchequer subsidies for new houses provided by Scottish Special Housing Association

(1) Subject to the provisions of Part I of the Act of 1962—

(a) an annual exchequer subsidy shall be payable under the said Part I in respect of each new house provided by the Scottish Special Housing Association in the circumstances specified in paragraph (c) of section 23(1) of the Scottish Act of 1957 (which paragraph is set out in subsection (2) of this section) and in accordance with proposals approved by the Secretary of State for the purposes of the said Part I, and

(b) the amount of such subsidy shall be forty-two pounds ;

and accordingly, in sections 1(1)(e) and 2(1)(d) of the Act. of 1962 (which sections provide for the payment and amount of annual exchequer subsidies), after the words " paragraph (b)" there shall be inserted the words " or paragraph (c) ".

(2) Section 23(1) of the Scottish Act of 1957 (in paragraphs (a) and (b) of which are specified the circumstances in which new houses must be provided by the Scottish Special Housing Association in order that exchequer subsidies may be payable in respect of them under Part I of the Act of 1962) shall have effect as if at the end thereof there were inserted the following—

"or

(c) houses provided in the district of any local authority in accordance with arrangements made with the approval of the Secretary of State as being desirable by reason of special circumstances for the provision of housing accommodation in any area for persons coming to that area in order to meet the urgent needs of industry, and so coming wholly, or, in the case of the council of a county (other than a county of a city), wholly or partly, from outside the district of the authority".

99 Compulsory purchase of land by Scottish Special Housing Association

(1) Where the Scottish Special Housing Association (hereafter in this section referred to as " the Association"); desire to acquire any land for—

(a) the provision of new houses by the Association in the circumstances specified in paragraph (a) or paragraph (b) or paragraph (c) of section 23(1) of the Scottish Act of 1957 ; or

(b) the provision of housing accommodation by the Association under a scheme submitted by them to the Secretary of State under section 18(1)(b) of the Act of 1962;

and the Association have made an application to the local authority in whose area the land is situated requesting them to acquire the land under Part V of the Act of 1950 for the purpose of selling it or leasing it to the Association, then if the authority have power to acquire the land under the said Part V and the Association are satisfied, after consultation with the authority, that the authority are unwilling to acquire the land for that purpose or that the footing on which they are willing to do so involves the sale or leasing of the land to the Association subject to conditions which are unacceptable to the Association, the Association may themselves acquire the land compulsorily.

In this subsection " local authority " means a local authority for the purposes of the Act of 1950.

(2) The Association may, at the request of the Housing Corporation made in accordance with section 4(1) of this Act, acquire land compulsorily for selling it or leasing it to a housing society.

(3) The power of the Association to acquire any land compulsorily under subsection (1) or subsection (2) of this section shall be exercisable in any particular case on their being authorised to do so by the Secretary of State, and in relation to the compulsory purchase the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 shall apply as if the Association were a local authority within the meaning of that Act, as if this Act had been in force immediately before the commencement of that Act, and as if in Part I of Schedule 1 to that Act (procedure for authorising compulsory

purchases) references to an owner of any land comprised in the compulsory purchase order included references to the local authority in whose area the land is situated.

(4) Section 18(1) of the Act of 1962 (which confers power on the Secretary of State to make advances to the Association for the provision of housing accommodation) shall have effect as if it conferred power on the Secretary of State to make advances under that subsection to the Association for the purpose of assisting them to acquire any land compulsorily under this section.

(5) The Association may not dispose of. any land acquired by them compulsorily under this section which is not required for the purposes for which it was acquired without the consent in writing of the Secretary of State.

(6) In the case of land which is situated partly in the area of one local authority and partly in the area of another, references in this section to the local authority in whose area the land is situated shall be construed as references to each of those local authorities.

100 Amendment of s. 10(1) of Scottish Act of 1957

Section 10 of the Scottish Act of 1957 (which empowers a local authority to make a town development scheme for the carrying out of development in conjunction with any housing accommodation proposed to be provided in their district in pursuance of arrangements such as are mentioned in section 8(1) of that Act) shall empower a local authority to include in a town development scheme proposals for the carrying out of development in conjunction with any housing accommodation already provided in their district in pursuance of any such arrangements, and accordingly in subsection (1) of the said section 10—

(a) after the words " any housing accommodation proposed to be provided " there shall be inserted the words " or already provided ", and

(b) after the words "related to the proposals as to the housing accommodation " there shall be inserted the words " and related also to the housing accommodation already provided, if any ".

101 Power to counties and large burghs in Scotland to contribute towards expense of housing elderly, infirm or handicapped persons

(1) The council of a county or of a large burgh in Scotland may make any contribution they think fit towards expenditure incurred by a local authority in connection with—

(a) the provision, maintenance and management, under the Act of 1950, of housing accommodation for elderly, infirm or handicapped persons ; and

(b) the exercise, in relation to housing accommodation so provided, or for the benefit of persons occupying such accommodation, of any of their functions under section 66, 67 or 68 of the said Act.

(2) Where an amount equal to the expenditure towards which any contribution is made under the foregoing subsection falls to be debited to the housing revenue account of the local authority, that authority shall carry to the credit of the account, in addition to the amounts which they are required to carry to the credit of that account under section 138 of the Act of 1950, an amount equal to the contribution under the foregoing subsection.

102 Duties of local authority in connection with service of notices and other documents under Housing Acts

(1) Where under any enactment in Part II of the Act of 1961, or Part II, Part III or Part IV of this Act, it is the duty of a local authority to serve any document on a person who is to the knowledge of the local authority the person having control of any premises (however defined), or a person managing any premises (however defined), or a person having an estate or interest in any premises (whether or not restricted to persons who are owners or lessees or mortgagees or to any other class of those having an estate or interest in premises) it shall be the duty of the local authority to take reasonable steps to identify the person or persons coming within the description in the enactment.

(2) Any person having an estate or interest in any premises may for the purposes of the enactments mentioned in subsection (1) of this section give notice to the local authority of his interest in the premises, and the local authority shall enter the notice in their records.

103 Other minor amendments of Housing Acts

(1) Any notice, order or other document required or authorised to be served under the Act of 1957 or the Act of 1950, or any enactment required to be construed with either of those Acts, which is to be served on any person as being a person having control of any premises (however defined) may, if it is not practicable after reasonable enquiry to ascertain the name or address of that person, be served by addressing it to him by the description of " person having control of" the premises (naming them) to which it relates and by delivering it to some person on the premises or, if there is no person on the premises to whom it can be delivered, by affixing it, or a copy of it, to some conspicuous part of the premises.

(2) Where under any enactment in Part II of the Act of 1950, Part II of the Act of 1957, or Part II of the Act of 1961, or Part II or Part IV of this Act a document is to be served on the person having control of any premises (however defined), or on the person managing any premises (however defined), or on the owner of any premises (however defined), and more than one person comes within the description in the enactment, the document may be served on more than one of those persons.

(3) In section 69(3) of the Act of 1957 (under which a local authority may issue a certificate that a house is fit for human habitation and will remain so fit for a specified period, not being less than five nor more than ten years) for the word " ten " there shall be substituted the word " fifteen ".

(4) In section 161 of the Act of 1957 and in section 161(1)(b) of the Act of 1950 (penalty for preventing execution of repairs, etc.) references to an owner of any premises shall include references to a person having control of any premises (as defined in section 39(2) of the Act of 1957 or, as the case may be, section 7(3) of the Act of 1950, or in any corresponding definition).

(5) In section 178(1) and section 179(1) of the Act of 1957 (which contain general provisions relating to the form of notices, and to dispensations with service of notices) the proviso (which excepts notices under sections 26 and 30 of the Act relating to the substitution of a closing order for a demolition order and to payments for well-maintained houses) shall in each case cease to have effect.

Supplemental

104 Application to Isles of Scilly

Section 57 of the Act of 1958 (application to Stilly Isles) shall apply in relation to this Act as it applies in relation to the provisions specified in subsection (3) of that section.

105 Financial provisions

(1) There shall be paid out of money provided by Parliament—

(a) any administrative expenses incurred by the Minister or the Secretary of State for the purposes of this Act; and

(b) any increase attributable to the provisions of this Act in the sums payable out of money so provided under any other enactment.

(2) There shall be paid into the Exchequer any sums falling to be so paid in consequence of any of the provisions of this Act.

106 General interpretation, and temporary modification as regards London

(1) In this Act, except where the context otherwise requires—

(a) " the Minister" means the Minister of Housing and Local Government, and

(b) " lease" includes an underlease, sublease or any tenancy, and any agreement for a lease, underlease, sublease or tenancy, and " lessee ", " lessor " and " leasehold " shall be construed accordingly.

(2) In this Act—

" the Act of 1950 " means the Housing (Scotland) Act 1950;

" the Scottish Act of 1954 " means the Housing (Repairs and Rents) (Scotland) Act 1954;

" the Act of 1957 " means the Housing Act 1957 ;

" the Scottish Act of 1957 " means the Housing and Town Development (Scotland) Act 1957 ;

" the Act of 1958 " means the Housing (Financial Provisions) Act 1958;

" the Act of 1959 " means the House Purchase and Housing Act 1959;

" the Act of 1961 " means the Housing Act 1961 ;

" the Act of 1962 " means the Housing (Scotland) Act 1962.

(3) References in this Act to any enactment are references to that enactment as amended by or under any other enactment, including this Act.

(4) Until 1st April 1965 this Act shall have effect subject to the following modifications, that is to say—

(a) in the definition of " local authority " in section 12, in section 44(1) and in section 96, for the words "London borough" there shall be substituted the words " metropolitan borough ";

(b) in Part IV, " local authority " shall have, in relation to London, the meaning given by section 23(8) of the Act of 1961.

(5) Subsection (5) (concurrent powers of Greater London Council) of section 21 of the London Government Act 1963 shall apply in relation to any of the powers of a local authority under this Act as it applies in relation to any of the powers of a local authority

under any of the enactments referred to in subsection (1) of that section; and, for the purposes of its application in accordance with this subsection, the said subsection (5) shall have effect as if the reference to that Act not being passed were a reference to that Act not being passed and this Act continuing to have effect subject to the modifications set out in subsection (4) of this section.

107 General application to Scotland

The provisions of this section shall, in addition to any express provision for the application to Scotland of any provision of this Act, have effect for the general application of this Act to Scotland, that is to say—

(a) for any reference in this Act to a mortgage, a mortgagor or a mortgagee there shall be substituted respectively a reference to a heritable security, a debtor in a heritable security and the creditor in a heritable security;

(b) " heritable security " has the same meaning in this Act as in the Conveyancing (Scotland) Act 1924 except that it includes a security constituted by *ex facie* absolute disposition or assignation;

(c) " the Rent Acts" means the Rent and Mortgage Interest Restrictions Acts 1920 to 1939 ;

(d) any provision in this Act for an application to the county court shall be construed as a provision for an application to the sheriff, and references to the county court or to the court shall be construed accordingly;

(e) any application to the sheriff under this Act shall be conducted and disposed of in like manner as proceedings brought under the Small Debt (Scotland) Acts 1837 to 1889, and the determination of the sheriff on any such application shall be final and conclusive;

(f) any provision in this Act for an appeal to the county court shall be construed as a provision for an appeal to the sheriff, and references to the county court or to the court shall be construed accordingly; and the provisions of section 166 of the Act of 1950 (other than subsection (3) of that section) shall apply to any such appeal to the sheriff as they apply to appeals to the sheriff under that Act.

108 Short title, citation, repeals, extent and commencement

(1) This Act may be cited as the Housing Act 1964, and—

(a) the Act of 1957, the Act of 1958, the Act of 1959, the Act of 1961 and this Act may be cited together as the Housing Acts 1957 to 1964; and

(b) the Housing (Scotland) Acts 1950 to 1962 and this Act may be cited together as the Housing (Scotland) Acts 1950 to 1964.

(2) The Acts mentioned in Schedule 5 to this Act shall be repealed to the extent specified in the third column of that Schedule.

(3) This Act, except paragraph 2(10) of Schedule 1, shall not extend to Northern Ireland.

(4) Subject to the following subsection, this Act shall come into force at the expiration of the period of one month beginning with the date on which it is passed.

(5) Part I of this Act and the following provisions of Part V of this Act, that is—

(a) section 99, and

(b) sections 104 to 107, except section 106(5).

shall come into force on the passing of this Act; and the said section 106(5) shall come into force on 1st April 1965.