

## SCHEDULES

### SCHEDULE 12

Section 130.

#### AMENDMENT OF ENACTMENTS RELATING TO HOUSING

##### *The Small Dwellings Acquisition Act 1899*

- 1 In section 12(1) (local authorities in Scotland), for sub-paragraph (a) there shall be substituted the following words :—

“a regional, islands or district council”.

##### *The Housing Act 1914*

- 2 In section 3(2) (application to Scotland), for the words from " burgh " to the end there shall be substituted the words " the words ' islands area or district' shall be substituted for the words ' district or London borough' in section 1(2) of this Act in each place where the words occur. "

##### *The Housing and Town Development (Scotland) Act 1957*

- 3 In section 16(5) (provision for failure to carry out duties under overspill agreements or town development schemes), for the words " three hundred and fifty-five of the Local Government (Scotland) Act 1947 " there shall be substituted the words " 210 of the Local Government (Scotland) Act 1973 ".

##### *The Housing Act 1964*

- 4 In section 12(1) (interpretation of Part I), in the definition of " local authority ", for the words " a local authority for the purposes of the Act of 1950 " there shall be substituted the words " an islands or district council ".

- 5 In section 101(1) (power to counties and large burghs in Scotland to contribute towards expense of housing elderly, infirm or handicapped persons), for the words from the beginning to " burgh " there shall be substituted the words " A regional or islands council ".

##### *The Housing (Scotland) Act 1966*

- 6 For section 1 (local authorities for purposes of this Act), there shall be substituted the following section—

**“1 Local authorities for purposes of this Act.**

Subject to sections 152 and 153 of this Act and section 130 of the Local Government (Scotland) Act 1973, for the purposes of this Act the local authority shall be an islands council or a district council, and the district of the local authority shall be the islands area or the district, as the case may be.”

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*Status: This is the original version (as it was originally enacted).*

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- 7 Section 98 (duty of medical officers to furnish particulars of overcrowding) shall cease to have effect.
- 8 In section 107 (power to require provision of means of escape from fire), in subsection (2) the words from " who are not" to " another fire authority " shall cease to have effect.
- 9 In section 147 (execution of works by local authority in connection with housing operations outside their district), the words "subject to the approval of the Secretary of State" shall cease to have effect.
- 10 In section 152 (power of local authority to promote and assist housing associations), at the end there shall be added the following subsection—
- “(3) In this section any reference to a local authority shall include a reference to a regional council”.
- 11 In section 153 (power of local authority to make arrangements with housing association for provision of housing accommodation)—
- (a) in subsection (1), after the words "local authority" there shall be inserted the words " or a regional council " and for the words " the authority" there shall be substituted the words " the islands or district council in whose area the accommodation is to be provided ";
- (b) in subsection (2), after the words " local authority " there shall be inserted the words " or regional council " and for the words " of their district in relation to housing " there shall be substituted the words " in relation to housing of the islands area or district where the accommodation is to be provided ".
- 12 Section 173 (power of Secretary of State to revoke unreasonably restrictive byelaws) shall cease to have effect.
- 13 Section 174 (relaxation of building regulations, etc., in connection with housing operations) shall cease to have effect.
- 14 In section 184 (penalty for obstructing execution of Act), the words " the sanitary inspector or " shall cease to have effect.
- 15 In section 185(1)(b), the words " the sanitary inspector or " and the words " of such officer or " shall cease to have effect.
- 16 In section 193 (power of Secretary of State in event of failure of local authority to exercise power), in subsection (1)(a), in head (i), the word " or " occurring at the end and head (ii) shall cease to have effect.
- 17 In section 195 (default powers of Secretary of State in relation to rents)—
- (a) in subsections (1), (2) and (4), for the words " 356 of the Local Government (Scotland) Act 1947" and the words " said section 356", wherever they occur, there shall be substituted respectively the words " 211 of the Local Government (Scotland) Act 1973 "and the words " said section 211 " ;
- (b) in subsection (7), for the words " 372 of the Local Government (Scotland) Act 1947" there shall be substituted the words " 232 of the Local Government (Scotland) Act 1973 ";
- (c) in subsection (8), for the words " 356(1) of the Local Government (Scotland) Act 1947" there shall be substituted the words " 211(1) of the Local Government (Scotland) Act 1973 ".
- 18 Section 201 (power to obtain report on area) shall cease to have effect.

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*Status: This is the original version (as it was originally enacted).*

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- 19 In section 208(1) (interpretation), the definitions of "burgh" and " large burgh " shall cease to have effect.

*The Housing Subsidies Act 1967*

- 20 In section 27(1)(a)(ii) (qualifying lenders), for the words " county councils and town " there shall be substituted the words " regional, islands and district ".

*The Housing (Financial Provisions) (Scotland) Act 1968*

- 21 In section 51 (power of local authority to assist in provision of separate service water pipes for houses), subsection (3) shall cease to have effect.

*The Housing (Scotland) Act 1969*

- 22 In section 62 (increase of rents of houses belonging to certain authorities without notice of removal)—

- (a) in subsection (5), for paragraph (d) there shall be substituted the following paragraph—

“(d) a water authority or a water development board as respectively defined in section 148 of the Local Government (Scotland) Act 1973 and section 34(1) of the Water (Scotland) Act 1967”;

- (b) in subsection (6), for the words from " town council" to " combined county" there shall be substituted the words " regional, islands or district council ".

*The Housing (Financial Provisions) (Scotland) Act 1972*

- 23 In section 16(4)(a) (rent allowances)
- (a) for the word " 1947" there shall be substituted the word " 1973 ";
- (b) for the words from " a burgh " to the end there shall be substituted the words " an islands or district council or any trust under the control of a local authority as defined in the Local Government (Scotland) Act 1973 ".
- 24 In section 78(1) (interpretation), in the definition of "year" for the words " 174 of the Local Government (Scotland) Act 1947 " there shall be substituted the words " 96(5) of the Local Government (Scotland) Act 1973 ".