



Housing (Financial Provisions) (Scotland) Act 1968

1968 CHAPTER 31

PART II

FINANCIAL ASSISTANCE IN RESPECT OF HOUSING ACCOMMODATION PRIVATELY PROVIDED OR IMPROVED

Grants by local authorities for improvements

27 Power of local authorities to make improvement grants

- (1) Subject to the provisions of this Part of this Act, a local authority may give assistance in respect of—
 - (a) the provision of dwellings by a person other than a local authority by means of the conversion of houses or other buildings;
 - (b) the improvement of dwellings by such a person ;by way of making a grant (in this Part of this Act referred to as an " improvement grant") in respect of expenses incurred for the purpose of the execution of the works of conversion or improvement (in this Part of this Act referred to as " improvement works ") if, before the improvement works are begun, an application in that behalf is made to the authority by that person (hereafter in this Part of this Act referred to as " the applicant") and approved by them.
- (2) An application for an improvement grant must contain full particulars of the improvement works proposed to be carried out and of the land on which those works are proposed to be carried out, together with plans and specifications of the works.
- (3) An application for an improvement grant must also contain an estimate of the expenses to be incurred for the purpose of the execution of the improvement works (which estimate may include fees payable to professional persons employed in connection with those works), and, where the application relates to the provision or improvement of more than one dwelling, the said estimate must specify the proportion of the

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estimated expenses that is attributable to each dwelling proposed to be provided or improved, and, subject to subsection (4) of this section, the application shall not be entertained unless—

- (a) in a case where the application relates only to the provision or improvement of a single dwelling, the amount of the expenses estimated to be incurred for the purposes of the execution of the improvement works, or
- (b) in any other case, the proportion of those expenses attributable to each dwelling proposed to be provided or improved,

is not less than one hundred pounds or such other amount as may for the time being be prescribed.

- (4) Where at any time within three years after the making of a standard grant under section 40 of this Act in respect of a dwelling an application for an improvement grant is made in respect of that dwelling and the application contains a statement of the cost incurred in executing the works in respect of which the standard grant was made, subsection (3) of this section shall have effect, in relation to that application or, if the dwelling is not the only one to which the application relates, in relation to the application so far as it relates to the dwelling, as if the amount specified in or prescribed under that subsection were reduced by the cost incurred as aforesaid.
- (5) Where a local authority approve an application for an improvement grant they shall notify the applicant of the amount approved by them as being the amount of the expenses which, in their opinion, are properly ascribable to the execution of the improvement works and, where the application relates to the provision or improvement of more than one dwelling, of the proportion of that amount approved by them as being attributable to each dwelling proposed to be provided or improved.

The said amount is hereafter in this Part of this Act referred to, in relation to improvement works, as the " approved expense " of executing those works, and the proportion of that amount approved under this subsection as being attributable to a dwelling is so referred to, in relation to that dwelling, as the " approved proportion " of the approved expense.

- (6) Before approving an application for an improvement grant the local authority shall satisfy themselves as to the requirements set out in section 28(1) of this Act subject, however, to the provisions of subsections (2) and (3) of that section.
- (7) A local authority may in any case refuse to approve an application for an improvement grant on any grounds that seem to them sufficient, and shall refuse to approve any such application in respect of any dwelling to be provided or improved by means of improvement works if assistance has been given in respect of that dwelling under any of the following enactments, that is to say—
 - (a) section 1 of the Hill Farming Act 1946 ;
 - (b) section 77 of the Agriculture (Scotland) Act 1948 ;
 - (c) section 100(1)(b) of the Housing (Scotland) Act 1950 ;
 - (d) section 22(2) of the Crofters (Scotland) Act 1955 ;
 - (e) section 44 of this Act.
- (8) If a local authority refuse to approve an application for an improvement grant, or, having approved such an application, pay by way of an improvement grant in respect thereof an amount smaller than the maximum amount allowed by section 29(1) of this Act apart from the proviso to the said section 29(1), they shall, if the applicant so

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requests, notify him in writing of the grounds of their refusal or, as the case may be, the grounds of their decision not to pay the said maximum amount.

- (9) The Secretary of State may give directions to any local authority or to local authorities generally requiring that any application for an improvement grant or all such applications of any class specified in the directions shall not be approved except with the consent of the Secretary of State (which may be granted subject to conditions), and it shall be the duty of any local authority to whom such directions are issued to comply therewith.

28 Requirements precedent to approval of application for improvement grant

- (1) The requirements referred to in section 27(6) of this Act are as follows, that is to say—
- (a) that, as respects dwellings to be provided or improved by means of the improvement works, the dwellings or (as the case may be) the dwellings as so improved will provide satisfactory housing accommodation for a period of not less than thirty years from the completion of the works;
 - (b) that all such dwellings as aforesaid will conform with such requirements with respect to their construction and physical condition and the provision of services and amenities as may be specified for the purposes of this section by the Secretary of State ;
 - (c) that the applicant is, in respect of every parcel of land on which improvement works are proposed to be carried out (other than land proposed to be sold or leased to him under section 145(4) of the principal Act), either the owner or the lessee under a lease of which the period remaining unexpired at the date of the application is not less than—
 - (i) the period for which the dwellings concerned will provide satisfactory housing accommodation, or
 - (ii) thirty years,whichever is the shorter.
- (2) If, in relation to all or any of the said dwellings, the local authority are of opinion that the period mentioned in paragraph (a) of subsection (1) of this section is likely to be less than thirty years, they may, notwithstanding that fact, approve the application if they are satisfied that the said period is likely to be more than ten years and if they consider it expedient in all the circumstances to do so.
- (3) If, in relation to all or any of the said dwellings, the local authority are not satisfied that the dwellings or dwelling will conform with a particular requirement specified under paragraph (b) of subsection (1) of this section, they may, notwithstanding that fact, approve the application if they are satisfied that, in all the circumstances of the case, conformity with that requirement would not be practicable at a reasonable expense.

29 Amount of improvement grants and payment thereof

- (1) Subject to the provisions of subsection (2) of this section, the amount which may be paid by way of an improvement grant shall be an amount not exceeding—
- (a) if the application for the improvement grant was made to the local authority before 16th August 1964, four hundred pounds for each dwelling provided or improved by the improvement works ;

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- (b) if the said application was so made on or after that date, five hundred pounds, or such other amount as may for the time being be prescribed, for each dwelling so provided or improved ;
- (c) in any case, such fraction of the approved expense of executing the improvement works, not exceeding one-half thereof, as may be determined by the local authority when they approve the application for the improvement grant:

Provided that—

- (i) where the local authority, with the concurrence of the Secretary of State, are satisfied in the case of any particular application that in all the circumstances of the case there is good reason for the payment of an amount higher than the amount authorised under this subsection, the amount of the improvement grant may be such amount in excess of the sum specified in paragraph (a) of this subsection or (as the case may be) specified in or prescribed under paragraph (b) thereof, but not exceeding one-half of the approved expense of executing the improvement works, as may be determined by the authority with the consent of the Secretary of State when they approve the application ;
 - (ii) where the local authority are satisfied that the expense of executing the improvement works was materially enhanced by reason of measures taken to preserve the architectural or historic interest of the house or building to which the application relates, the amount of the improvement grant may be such fraction of the approved expense of executing the works, in excess of one-half thereof, or such amount in excess of the sum specified in paragraph (a) of this subsection or (as the case may be) specified in or prescribed under paragraph (b) thereof, as may be determined by the authority with the consent of the Secretary of State when they approve the application.
- (2) Where after the making of a standard grant under section 40 of this Act in respect of a dwelling an improvement grant is made in respect of that dwelling, subsection (1) of this section shall have effect, in relation to that dwelling, as if the sum specified in paragraph (a) of that subsection or (as the case may be) specified in or prescribed under paragraph (b) thereof were reduced by the amount of the standard grant.
- (3) An improvement grant in respect of expenses incurred for the purpose of the execution of improvement works may be paid either after completion of the works or partly in instalments from time to time as the works progress and as to the balance after the completion of the works:

Provided that where the improvement grant is to be paid partly in instalments, the aggregate of the instalments paid shall not at any time before the completion of the improvement works exceed one-half of the aggregate cost of the works executed up to that time.

- (4) The payment of an improvement grant or of an instalment or the balance thereof shall be conditional on the improvement works or, as the case may be, the part of the works which the applicant considers will entitle him to payment of the instalment or balance being executed to the satisfaction of the local authority.
- (5) Where an instalment of an improvement grant is paid before the completion of the improvement works, and the works are not completed within twelve months of the date of payment of the instalment, then that instalment and any further sums paid by the local authority on account of the improvement grant shall, on being demanded by the authority, forthwith become payable to them by the person to whom the instalment was

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paid, and the instalment and any such payment shall carry interest at the prescribed rate from the date on which it was paid by the authority until repaid under this subsection.

30 Conditions to be observed with respect to dwellings

- (1) In the case of a dwelling in respect of the provision or improvement of which an improvement grant has been made, the conditions specified in Schedule 3 to this Act shall, subject to the provisions of this Part of this Act, be observed with respect to the dwelling for a period of three years beginning with the day on which in the opinion of the local authority it first becomes fit for occupation after the completion of the improvement works, and shall, so long as they are required to be so observed, be deemed to be part of the terms of any lease or tenancy of the dwelling, and shall be enforceable accordingly.
- (2) The provisions of this section, of section 31 of this Act and of Schedule 3 thereto (other than paragraph 4 thereof), shall apply to a dwelling used as a residence by a minister or full-time lay missionary of any religious denomination by virtue of his office as such minister or missionary in like manner as if he were a tenant of the dwelling.

31 Enforcement of conditions

- (1) The provisions of this section shall have effect in the event of a breach of any of the conditions specified in Schedule 3 to this Act at a time when they are required to be observed with respect to a dwelling.
- (2) Where the improvement works by means of which the dwelling was provided or improved were works only for the provision or improvement of that dwelling, there shall, on being demanded by the local authority, forthwith become payable to them, by the owner for the time being of the dwelling, the appropriate proportion of any sums paid by the authority by way of improvement grant in respect of the expenses incurred for the purpose of the execution of those works, together, in the case of each such sum, with interest on the appropriate proportion thereof for the period from the date of payment of the sum by the authority to the date of payment to the authority of the appropriate proportion of the sum.
- (3) In any other case, there shall, on being demanded by the local authority, forthwith become payable to them, by the owner for the time being of the dwelling, the appropriate proportion of a part of any such sums as aforesaid bearing to the whole thereof the same proportion that the approved proportion of the approved expense of executing the improvement works bears to the whole of the approved expense of executing those works, together, in the case of each part of a sum, with interest on the appropriate proportion of that part for the period from the date of payment of the sum by the authority to the date of payment to the authority of the appropriate proportion of that part.
- (4) In subsections (2) and (3) of this section—
 - (a) the expression "the appropriate proportion", in relation to a sum or part of a sum, means a part thereof proportionate to the extent to which the period during which conditions are required by section 30 of this Act to be observed with respect to the dwelling remains unexpired at the date of the occurrence of the breach ; and
 - (b) "interest" means compound interest calculated at the prescribed rate and with yearly rests.

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- (5) If the local authority are satisfied that the breach is capable of being remedied, they may, with the consent of the Secretary of State, and subject to such conditions (if any) as he may approve, direct that the operation of the foregoing provisions of this section shall, in relation to the breach, be suspended for such period as appears to them to be necessary for enabling the breach to be remedied, and, if the breach is remedied within that period, may direct that the said provisions shall not have effect in relation to the breach.
- (6) If the local authority are satisfied that the breach, although not capable of being remedied, was not due to the act, default or connivance of the owner of the dwelling, they may, with the like consent and subject to such conditions as aforesaid, direct that the said provisions shall not have effect in relation to the breach.
- (7) Upon satisfaction of a liability of an owner of a dwelling to make payment under subsection (2) or subsection (3) of this section to a local authority, observance with respect to the dwelling of the conditions specified in Schedule 3 to this Act shall cease to be requisite.
- (8) The sheriff within whose jurisdiction is situated any dwelling with respect to which the conditions specified in Schedule 3 to this Act are for the time being required to be observed may, on the application of the local authority, whether or not any other relief is claimed, grant an interdict restraining a breach or apprehended breach, in relation to the dwelling, of any of those conditions other than the condition specified in paragraph 5 of the said Schedule.
- (9) Where a local authority pay an improvement grant or, in a case where an improvement grant is payable partly in instalments as the improvement works progress and as to the balance after the completion of the works, the balance of the improvement grant in respect of a dwelling, they shall cause to be recorded in the General Register of Sasines a notice in the prescribed form specifying—
 - (a) the conditions required by section 30 of this Act to be observed with respect to the dwelling, being the conditions specified in Schedule 3 to this Act; and
 - (b) the provisions of this section whereby, on a breach of any of the said conditions at a time when they are required to be observed, the owner for the time being of the dwelling becomes liable to repay to the local authority the amount set forth in this section ;and the cost of such recording shall be repaid to the local authority by the owner for the time being of the dwelling.
- (10) In any case where, in pursuance of subsection (7) of this section, observance of the conditions specified in Schedule 3 to this Act ceases to be requisite with respect to a dwelling, the local authority shall cause to be recorded in the General Register of Sasines a notice in the prescribed form stating that the said conditions no longer apply to the dwelling, and the cost of such recording shall be repaid to the authority by the owner for the time being of the dwelling.
- (11) In the event of a breach of any of the conditions specified in Schedule 3 to this Act at a time when they are required to be observed with respect to a dwelling it shall be competent for the local authority to make a charging order in favour of themselves for the amount that becomes payable to them under this section in consequence of such breach, and the provisions of section 29 of the principal Act shall, subject to any necessary modifications, apply to a charging order so made in like manner as they apply to a charging order made under section 28 of that Act.

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32 Duty of local authority to fix maximum rents

- (1) It shall be the duty of a local authority, at the time at which they approve an application for an improvement grant, to fix, for the purposes of this Part of this Act, with respect to—
- (a) every dwelling to be provided by means of the improvement works, and
 - (b) every dwelling to be improved by means of the improvement works, being a dwelling which the local authority are satisfied has not been let as a dwelling at any time during the period of five years immediately preceding the date of the application,
- the maximum rent that may be paid in respect of the dwelling.
- (2) A local authority, in fixing under subsection (1) of this section the maximum rent that may be paid in respect of a dwelling, shall have regard to—
- (a) the age of the building ;
 - (b) the character and condition of the dwelling after the carrying out of the proposed improvement works ;
 - (c) the cost of the proposed improvement works; and
 - (d) the rents payable in their district for similar dwellings not let under an existing controlled tenancy.
- (3) Where an application is made to a local authority for an improvement grant in respect of the improvement of a dwelling (not being a dwelling as respects which the authority are satisfied as mentioned in subsection (1)(b) of this section), and that dwelling is not subject to an existing controlled tenancy, the application may contain a request to fix for the purposes of paragraph 4 of Schedule 3 to this Act a rent higher than the limit imposed by sub-paragraph (b) of that paragraph, and if it appears to the authority reasonable to do so, having regard to all the circumstances and, in particular, to the rents payable in their district for similar dwellings not let under an existing controlled tenancy, they may, on approving the application, fix such higher rent for those purposes as they think reasonable; and a rent so fixed shall be substituted in the condition set out in the said paragraph 4 for the limit imposed by the said sub-paragraph (b).
- (4) Where—
- (a) an improvement grant has been made in respect of the provision or improvement of any dwelling, and
 - (b) works (other than works for the purpose of the execution of which the improvement grant has been so made) have been executed on the said dwelling at a time when the conditions specified in Schedule 3 to this Act are required to be observed with respect thereto,
- the local authority may, on an application being made to them in that behalf, direct that for the purposes of this Part of this Act the maximum amount of the rent payable by any tenant of the dwelling shall be increased by such amount as may be specified in the direction, not exceeding an amount calculated at a rate per annum of twelve and one half per cent, of the cost of executing the works.
- (5) Where a direction is given under subsection (4) of this section in relation to a dwelling on any occasion, references in paragraph 4 of Schedule 3 to this Act to the amount which the rent payable by any tenant of the dwelling is not to exceed shall, as respects any period after the giving of the direction and before any subsequent direction is given under the said subsection (4) in relation to the dwelling or the direction is superseded by reason of the application of the said conditions by virtue of the giving

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of a further improvement grant, whichever event first occurs, be construed in relation to the dwelling, for the purposes of—

- (a) this Part of this Act, and
- (b) where section 37(2) of this Act applies, the Housing (Rural Workers) Acts 1926 to 1942,

as references to that amount as increased in accordance with the direction given on that occasion and with any direction given under the said subsection (4) in relation to the dwelling on a previous occasion which has not been superseded as aforesaid.

- (6) In this section " existing controlled tenancy " has the same meaning as in section 11 of the Rent Act 1965.

33 Local authority to keep register of rents

- (1) It shall be the duty of every local authority to make and keep a register in the prescribed form in which they shall record in relation to every dwelling with respect to which the conditions specified in Schedule 3 to this Act are for the time being required to be observed—
 - (a) the amount to which the rent is limited by virtue of the condition contained in paragraph 4 of the said Schedule 3 ;
 - (b) any increase of the said amount authorised by virtue of subsections (4) and (5) of section 32 of this Act; and
 - (c) such other information as may be prescribed.
- (2) A register kept by a local authority under this section shall be made available for inspection by the public at the principal office of the authority during all normal business periods.
- (3) The Secretary of State may provide by regulations made by statutory instrument for the issue by a local authority of extracts of entries in the register kept by them under this section, and for the charging by the authority of a fee, not exceeding one shilling, in respect of each entry contained in any extract issued in accordance therewith, and any extract so issued shall be evidence of the matters set out therein.

34 Voluntary repayment of improvement grants

- (1) The owner of a dwelling in respect of the provision or improvement of which an improvement grant has been made or the holder of a heritable security over the dwelling, being a heritable creditor entitled to exercise his power of sale, may, at any time when the conditions specified in Schedule 3 to this Act are required to be observed with respect to the dwelling, pay to the local authority the like amount as would become payable to them under section 31 of this Act in the event of a breach at that time of any of those conditions, and on the making of the payment observance with respect to the dwelling of those conditions shall cease to be requisite.
- (2) A sum paid under subsection (1) of this section by a heritable creditor shall be treated as part of the sum secured by the heritable security.
- (3) In any case where, in pursuance of subsection (1) of this section, observance of the conditions specified in Schedule 3 to this Act ceases to be requisite with respect to a dwelling, section 31(10) of this Act shall apply in like manner as it applies in the case therein mentioned.

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35 Exchequer contributions towards improvement grants

- (1) The Secretary of State may make Exchequer contributions towards the expense incurred by a local authority in making an improvement grant.
- (2) Subject to any order made by the Secretary of State under section 56 of this Act, an Exchequer contribution under subsection (1) of this section shall be a sum equal to three-quarters of the annual loan charges referable to the amount of the improvement grant, payable for each of the twenty financial years beginning with the year in which were completed the improvement works in respect of which the improvement grant was made.
- (3) For the purposes of this section, the annual loan charges referable to the amount of an improvement grant shall (whatever may be the manner in which the local authority have provided or intend to provide the money requisite for making the improvement grant) be the annual sum which, in the opinion of the Secretary of State, would fall to be provided by the authority for the payment of interest on, and the repayment of, an amount of borrowed money equal to the amount of the improvement grant, being money the period for the repayment of which is twenty years.
- (4) A local authority shall pay to the Secretary of State three-quarters of any sum—
 - (a) recovered by them by virtue of section 31 of this Act in consequence of a breach of any of the conditions required to be observed with respect to the dwelling, or
 - (b) paid to them under section 34 of this Act in respect of the dwelling.
- (5) Subsections (2) and (4) of this section shall, in the case of a local authority for any area in the Highlands and Islands, have effect with the substitution for the words "three-quarters" of the words "seven-eighths".

36 Provisions as to further improvement grants

- (1) An improvement grant shall not be made in respect of the provision of dwellings by means of the conversion of dwellings with respect to which the conditions specified in Schedule 3 to this Act are for the time being required to be observed.
- (2) Where by virtue of the making on any occasion of an improvement grant in respect of the improvement of a dwelling the conditions specified in Schedule 3 to this Act are required to be observed with respect to the dwelling before the observance thereof by virtue of the making of an improvement grant on a previous occasion has ceased to be requisite, the provisions of sections 30, 31, 34, 35(4) and 35(5) of this Act shall apply in relation to the dwelling as regards each occasion on which an improvement grant is so made as if it were the only occasion on which it was so made:

Provided that in relation to any period during which the said conditions are simultaneously required to be observed by virtue of the making of an improvement grant on more than one occasion, the condition as to rent applicable by reason of the making of an improvement grant on the last occasion shall be deemed to be the condition as to rent also by reason of the making of an improvement grant on any previous occasion.

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37 Provisions as to dwellings improved under Housing (Rural Workers) Acts

- (1) An improvement grant shall not be made in respect of the provision of dwellings by means of the conversion of dwellings in relation to which the conditions specified in section 3 of the Housing (Rural Workers) Act 1926 for the time being apply.
- (2) Where an improvement grant is made in respect of the improvement of a dwelling in relation to which the said conditions apply at the time when the improvement grant is so made, the Housing (Rural Workers) Acts 1926 to 1942 shall have effect in relation to the dwelling as if the conditions specified in Schedule 3 to this Act were contained in, and applicable by virtue of, section 3(1) of the Housing (Rural Workers) Act 1926 in lieu of the conditions specified therein and in sections 5 and 6 of the Housing (Rural Workers) Amendment Act 1938, and anything which would, or would not, constitute for the purposes of this Part of this Act a breach of the conditions specified in the said Schedule 3 shall be treated as constituting, or, as the case may be, not constituting a breach of those conditions for the purposes of the Housing (Rural Workers) Acts 1926 to 1942.

38 Provisions supplementary to ss. 27 to 37

- (1) In the foregoing provisions of this Part of this Act, unless the context otherwise requires, "owner", in relation to a dwelling, means the person who is for the time being entitled to receive the rent of the dwelling or who, if the dwelling were let, would be so entitled, and includes such a lessee as is mentioned in section 28(1)(c) of this Act.
- (2) References in the foregoing provisions of this Part of this Act or in the following provisions of this section to the improvement of dwellings shall be construed as including references to the alteration or enlargement thereof and to the execution of works of repair thereto, not being works of ordinary repair, and as including also references to the execution of works of ordinary repair thereto so far, but so far only, as the execution thereof is incidental to or connected with the execution of works of improvement, alteration or enlargement or of works of repair not being works of ordinary repair, and in the said provisions the expression "improved" shall be construed accordingly.
- (3) In determining for the purposes of the foregoing provisions of this Part of this Act whether, as regards a dwelling in respect of the provision or improvement of which an improvement grant has been made, a breach has occurred of the condition specified in paragraph 4 of Schedule 3 to this Act as to the rent payable by a tenant of the dwelling, any property which, in the absence of express provision, would pass upon a conveyance in common form of the dwelling, and any yard, garden, outhouse and pertinents belonging to or usually enjoyed with the dwelling, shall be deemed to form part of the dwelling.
- (4) A dwelling which has been provided or improved by improvement works under this Part of this Act shall not, by reason only of such provision or improvement, be deemed to be a new house within the meaning of any local Act notwithstanding anything contained in such Act.

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Grants by local authorities for provision of standard amenities

39 Standard amenities

- (1) For the purposes of this Part of this Act, and subject to this section, " the standard amenities ", in relation to any dwelling, mean the following amenities provided for the exclusive use of the occupants of the dwelling, that is to say—
- (a) a fixed bath or shower, which, subject to subsection (2) of this section, is to be in a bathroom;
 - (b) a wash-hand basin ;
 - (c) a hot and cold water supply at a fixed bath or shower, which, if reasonably practicable, is to be in a bath room;
 - (d) a hot and cold water supply at a wash-hand basin;
 - (e) a hot and cold water supply at a sink ;
 - (f) a water closet; and
 - (g) satisfactory facilities for storing food ;
- and references in this Part of this Act to the standard amenities shall be construed accordingly.
- (2) Subject to this section, the fixed bath or shower mentioned in paragraph (a) of subsection (1) thereof may, if it is not reasonably practicable for it to be provided in a bathroom, but it is reasonably practicable for it to be provided with a hot and cold water supply, be in a part of the dwelling which is not a bathroom or bedroom.
- (3) The Secretary of State may by order vary the class of amenities which are the standard amenities, and an order under this subsection may amend or repeal any of the provisions of subsection (2) of this section or of section 41(5) of this Act and may contain such transitional and other supplemental provisions as may appear to the Secretary of State to be expedient.
- (4) The power to make orders conferred on the Secretary of State by subsection (3) of this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

40 Duty of local authorities to make standard grants

- (1) Subject to the provisions of this Part of this Act, a local authority shall give assistance in respect of the improvement of any dwelling by a person other than a local authority by such works as may be required for the dwelling to be provided with all of the standard amenities by way of making a grant (in this Part of this Act referred to as a " standard grant") in respect of the cost of executing the works, if an application in that behalf is made by that person to the authority and approved by them before the works are begun and the works are executed to the satisfaction of the authority.
- (2) An application may be made under this section proposing the carrying out of works which comprise the provision of part only of the standard amenities notwithstanding that the dwelling is not already provided with all the remainder of the standard amenities if—
- (a) it is not practicable at reasonable expense to provide the dwelling with all of the standard amenities, and

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- (b) after the execution of the works the dwelling will be provided with at least the amenities comprised in the reduced standard as defined in section 86(5) of the principal Act:

Provided that an application shall not be entertained by virtue of this subsection in respect of a dwelling which is or forms part of a house or building as regards which the local authority are satisfied that they have power to serve a notice under section 106 of the principal Act.

- (3) An application under this section must specify the dwelling and the works proposed to be carried out and, where those works comprise the provision of part only of the standard amenities, must—
 - (a) if the application is made by virtue of subsection (1) of this section, contain a statement that the dwelling is already provided with the remainder;
 - (b) if the application is made by virtue of subsection (2) of this section, contain a statement that it is not practicable at reasonable expense to provide the dwelling with all of the standard amenities and give the facts on which the statement is based.
- (4) Subject to subsection (5) of this section, an application under this section must also contain a statement either that the applicant is the occupier of the dwelling or that the occupier has consented in writing to the making of the application.
- (5) An application under this section as respects works to be carried out in compliance with an improvement notice served, or an undertaking accepted, under Part IV of the principal Act shall be in such form as the local authority may direct, and subsection (4) of this section shall not apply in respect of such an application.
- (6) An application under this section shall not be entertained if it relates to a dwelling provided after the end of the year 1944, unless the dwelling was provided by the conversion before the end of the year 1958 of a building erected before the end of the year 1944.

41 Approval of applications for standard grants

- (1) Subject to subsection (5) of this section, a local authority shall approve an application for a standard grant if—
 - (a) they are satisfied as to the matters mentioned in subsections (2) and (3) of this section, and
 - (b) in the case of an application made by virtue of section 40(2) of this Act, they are satisfied also as to the matters mentioned in paragraphs (a) and (b) of that subsection,
 and shall not approve any application if not so satisfied.
- (2) The local authority must be satisfied that after the execution of the works specified in the application the dwelling will be in such condition as not to be unfit for human habitation, and that it is likely to remain in that condition and available for use as a dwelling for a period of not less than fifteen years.
- (3) The local authority must also be satisfied that the applicant is, in respect of every parcel of land on which the works are to be carried out (other than land proposed to be sold or leased to him under section 145(4) of the principal Act), either the owner or the lessee under a lease of which there remains unexpired at the date of the application a period of not less than fifteen years.

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- (4) In considering an application made by virtue of section 40(2) of this Act the local authority shall have regard to the estimated cost of the works which would be required to provide the dwelling with all of the standard amenities and the value which it is estimated that the dwelling (or the building of which the dwelling forms part) would have if works to provide the dwelling with all of the standard amenities were carried out.
- (5) Subsection (1) of this section shall not have effect so as to oblige a local authority to approve an application for a standard grant as respect works which include the provision of a fixed bath or shower in a part of a dwelling which is not a bathroom unless the works are to be carried out in compliance with an improvement notice served, or an undertaking accepted, under Part IV of the principal Act.
- (6) Where the local authority do not approve an application for a standard grant they shall, if the applicant so requests, give him a written statement of the ground or grounds on which they have not approved it, and if, in the case of an application made by virtue of section 40(2) of this Act, that ground is, or those grounds include, the fact that the authority are not satisfied as to the matters mentioned in paragraphs (a) and (b) of that subsection, the said statement shall set out the reasons why the authority are not so satisfied.

42 Amount of standard grants

- (1) The amount of a standard grant shall, subject to this section, be one-half of the cost shown to have been incurred in executing the works in respect of which it is made.
- (2) If any of the works are not exclusively for the purpose of providing one or more of the standard amenities, only so much of the cost of carrying out those works as is, in the opinion of the local authority, attributable to the provision of the standard amenity or standard amenities shall be taken into account under subsection (1) of this section.
- (3) Subject to this section, there shall be a limit on the amount of a standard grant determined in accordance with the following Table, and the limit shall depend on the number of items in the following Table which will be provided by the works and shall be the total of the amounts specified in column 2 of that Table for those items or £350, whichever is the less.

TABLE

<i>List of amenities</i>	<i>Amount allowed towards limit</i>
A fixed bath or shower in a bathroom or elsewhere.	£25 or, if the bathroom is being provided by the building of a new structure or the conversion of outbuildings attached to the dwelling (or to the building of which the dwelling forms part) and, before the time when the local authority approve the application, they have been satisfied that it is not reasonably practicable to provide the bathroom in any other way, such higher amount as the local authority shall fix at that time as being in their opinion one-half of the part of

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<i>List of amenities</i>	<i>Amount allowed towards limit</i>
	the cost to be reasonably incurred in executing the works, being the part of the cost attributable to the provision of the fixed bath or shower.
A wash-hand basin	£5.
A hot and cold water supply at a fixed bath or shower.	£35.
A hot and cold water supply at a wash-hand basin.	£15.
A hot and cold water supply at a sink.	£25.
A water closet	£40 or, if the works comprise the installation of a septic tank and, before the time when the local authority approve the application, they have been satisfied that the connection of the water closet with main drainage is not possible or reasonably practicable, such higher amount as the local authority shall fix at that time as being in their opinion one-half of the part of the cost to be reasonably incurred in executing the works, being the part of the cost attributable to the provision of the water closet.
Facilities for storing food	£10.
If the works comprise, in connection with all or any of the amenities provided, the bringing of a piped supply of cold water into the dwelling for the first time.	Such amount as the local authority shall fix at the time when they approve the application as being in their opinion one-half of the part of the cost to be reasonably incurred in executing the works, being the part of the cost attributable to the bringing of the piped supply into the dwelling.

- (4) The local authority shall, when they approve the application, inform the applicant of any decision taken by them under the Table fixing a higher amount in respect of the cost attributable to the provision of a fixed bath or shower or of a water closet, or fixing any amount in respect of the cost of bringing a piped supply of cold water into the dwelling.
- (5) In determining the limit the amount specified for any item in the Table shall not be brought in more than once, and no account shall be taken of any amenity provided by the works if, at the time when the works were begun, the dwelling was provided with an amenity of that kind unless part of the cost incurred in executing the works is attributable to interference with or replacement of that amenity and the local authority are satisfied that it would not have been reasonably practicable to avoid the interference or replacement.

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- (6) References in this section to the cost incurred in executing or carrying out works shall include references to fees payable to professional persons employed in connection with those works.
- (7) The Secretary of State may by order vary the provisions of subsections (3), (4) and (5) of this section in any respect, and an order under this subsection may contain such transitional or other supplemental provisions as appear to the Secretary of State to be expedient.
- (8) The power to make orders conferred on the Secretary of State by subsection (7) of this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (9) Section 21 of the House Purchase and Housing Act 1959 shall not have effect, and this section shall have effect only, in relation to applications for standard grants made on or after 16th August 1964.

43 Application to standard grants of provisions relating to improvement grants

The provisions of sections 30 to 38 of this Act shall, with the necessary modifications, apply in relation to standard grants as they apply in relation to improvement grants, so, however, that in relation to standard grants sections 36 and 37 of this Act shall each apply with the omission of subsection (1) thereof.

Grants by local authorities for provision of new houses for agricultural population

44 Power of local authorities to make grants in respect of provision of new houses for agricultural population

- (1) A local authority may, and if so required by the Secretary of State shall, submit to the Secretary of State a scheme or schemes for assisting the provision of housing accommodation in new houses for the agricultural population, and on approval by the Secretary of State of any scheme so submitted a local authority may in accordance therewith give assistance in the manner hereinafter provided.
- (2) Assistance under this section shall be given by way of payment on the completion of the house of a lump sum not exceeding either—
 - (a) one-half of the cost of the house, or
 - (b) two hundred and forty pounds in the case of a house containing three apartments, or three hundred pounds in the case of a house containing more than three apartments.
- (3) Any person applying for assistance under this section shall furnish to the local authority full particulars of the house proposed to be erected, together with a statement, approved by an officer of the authority authorised in that behalf, of the estimated cost of the house, and such plans and specifications thereof as the authority may require.
- (4) If the local authority approve an application under this section they shall issue to the applicant a certificate of their approval, which shall set out the terms and conditions upon which assistance will be given.
- (5) On the completion of the house the applicant shall furnish the local authority with such information as they may require as to the cost of the house and shall satisfy them that

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it has been erected in accordance with the terms and conditions of the said certificate, and the authority shall not be liable to give assistance under this section until they are so satisfied.

- (6) A local authority may in any case refuse to approve an application under this section on any grounds which seem to them sufficient, and shall refuse to approve such an application—
- (a) in respect of any house which does not contain at least three apartments of superficial areas not less than such areas as may be specified in the scheme of assistance, and such conveniences as may be so specified;
 - (b) in respect of any house in respect of which a grant has been made under section 1 of the Hill Farming Act 1946 or under section 77 of the Agriculture (Scotland) Act 1948 or under section 22(2) of the Crofters (Scotland) Act 1955.
- (7) Where a local authority refuse to approve an application under this section they shall, if the applicant so requests, notify him in writing of the grounds of their refusal.
- (8) In this section the expression "apartment" does not include any apartment not designed for use as a living-room or as a bedroom.

45 Conditions to be observed with respect to houses

- (1) In the case of a house in respect of the provision of which assistance has been given under section 44 of this Act, the conditions specified in Schedule 4 to this Act shall, subject to the provisions of this Part of this Act, be observed with respect to the house for a period of forty years from the date of its completion and shall, so long as they are required to be so observed, be deemed to be part of the terms of any lease or tenancy of the house granted by the owner thereof, and shall be enforceable accordingly.
- (2) Where in the case of any house the condition specified in paragraph 2 of Schedule 4 to this Act is for the time being required to be observed with respect thereto, the local authority may at any time, if satisfied that the house is no longer required for a member of the agricultural population, waive their right to enforce that condition in relation to that house:

Provided that the power conferred by this subsection shall be exercisable only with the consent of the Secretary of State.

- (3) A local authority may make any exercise of the power conferred on them by subsection (2) of this section conditional on the application in relation to the house in question, for such part of the period of forty years from the date of completion of the house as remains unexpired at the time of the exercise, of such other conditions (if any) as the Secretary of State may approve; and section 46 of this Act shall apply in relation to any breach of a condition which is for the time being required to be observed with respect to the house by virtue of this subsection as it applies in relation to a breach of the conditions specified in Schedule 4 to this Act.

46 Enforcement of conditions

- (1) In the event of a breach of any of the conditions specified in Schedule 4 to this Act at a time when they are required to be observed with respect to a house, the owner for the time being of the house shall, subject to subsection (2) of this section, forthwith become liable to repay to the local authority the appropriate proportion of the sum

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paid by the authority under section 44 of this Act by way of assistance in respect of the provision of the house, together with interest on the appropriate proportion as from the date of payment of the sum by the authority.

In this subsection—

- (a) the expression " the appropriate proportion ", in relation to a sum, means a part thereof proportionate to the extent to which the period during which conditions are required by section 45 of this Act to be observed with respect to the house remains unexpired at the date of the occurrence of the breach ; and
 - (b) " interest" means compound interest calculated at the prescribed rate and with yearly rests.
- (2) If in any case the local authority are satisfied that the breach was not due to the act, default or connivance of the owner of the house, they may, with the consent of the Secretary of State and subject to such conditions (if any) as the Secretary of State may approve, waive the liability of the owner to make repayment under subsection (1) of this section, and in the case of a continuing breach may, with the like consent and subject to such conditions as aforesaid, suspend the enforcement of that liability for such period as appears to them to be necessary for enabling the owner to remedy the breach.
- (3) Upon satisfaction of a liability of an owner of a house to make repayment under subsection (1) of this section to a local authority, observance with respect to the house of the conditions specified in Schedule 4 to this Act shall cease to be requisite.

47 Voluntary repayment of assistance given under s. 44

The owner of a house in respect of the provision of which assistance has been given under section 44 of this Act may, at any time when the conditions specified in Schedule 4 to this Act are required to be observed with respect to the house, pay to the local authority the like amount as would become payable to them under section 46 of this Act in the event of a breach at that time of any of those conditions, and on the making of the payment observance with respect to the house of those conditions shall cease to be requisite.

48 Exchequer contributions towards expenses of local authorities under schemes of assistance

- (1) The Secretary of State shall, subject to the provisions of this Act, make or undertake to make Exchequer contributions towards the expense incurred by a local authority in giving assistance under section 44 of this Act.
- (2) An Exchequer contribution under subsection (1) of this section shall be a sum equal to three-quarters of the annual loan charges referable to the amount paid by way of assistance, payable for each of the forty financial years beginning with the year in which was completed the house in respect of the provision of which the assistance was given.

This subsection shall, in any case where assistance is given in respect of the provision of a house in the Highlands and Islands, have effect with the substitution for the words " three-quarters " of the words " seven-eighths ".

- (3) For the purposes of this section, the annual loan charges referable to the amount paid by way of assistance shall (whatever may be the manner in which the local authority

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have provided or intend to provide the money requisite for giving the assistance) be the annual sum which, in the opinion of the Secretary of State, would fall to be provided by the authority for the payment of interest on, and the repayment of, an amount of borrowed money equal to the amount paid by way of assistance, being money the period for the repayment of which is forty years.

- (4) In the event of a breach of any of the conditions specified in Schedule 4 to this Act at a time when they are required to be observed with respect to a house, the local authority shall be liable to repay to the Secretary of State in respect of each Exchequer contribution already paid under this section a sum bearing the same proportion to the amount of the Exchequer contribution as the sum (excluding interest) repayable to the local authority by the owner of the house under section 46 of this Act bears to the sum paid by them by way of assistance, together with interest thereon as from the date on which the Exchequer contribution was paid:

Provided that—

- (a) the provisions of this subsection shall not apply if the liability of the owner to make repayment in respect of the breach of the condition has been duly waived in accordance with section 46(2) of this Act, or if and so long as the enforcement of that liability is duly suspended in accordance with that subsection ;
 - (b) if the local authority show to the satisfaction of the Secretary of State that, notwithstanding that they have taken all practicable steps for the purpose, they have been unable to recover the whole or some part of any sum repayable to them by reason of the breach of the condition, the Secretary of State may remit the repayment of the whole or any part of the sum repayable to him under this subsection.
- (5) Where under section 47 of this Act any sum is repaid to the local authority in respect of any house, the authority shall be liable to repay to the Secretary of State in respect of each Exchequer contribution already made a sum bearing the same proportion to the amount of the Exchequer contribution as the sum (excluding interest) repaid to the authority bears to the sum paid by them by way of assistance, together with interest thereon as from the date on which the Exchequer contribution was paid.
- (6) In this section " interest" means compound interest calculated at the prescribed rate and with yearly rests.

Other forms of financial assistance by local authorities

49 Power of local authority to make advances for purpose of increasing housing accommodation

- (1) A local authority may, subject to such conditions as may be approved by the Secretary of State, advance money, subject to the provisions hereinafter contained, to any person for the purpose of—
- (a) acquiring houses;
 - (b) constructing houses;
 - (c) converting into houses buildings which have been acquired by that person or acquiring buildings and converting them into houses ; or
 - (d) altering, enlarging, repairing or improving houses ;
- whether the houses or buildings are within or outside the district of the local authority.

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- (2) Before advancing money under this section for the purpose specified in paragraph (a) of subsection (1) thereof the local authority shall satisfy themselves that the house or houses to be acquired is or are, or will be made, in all respects fit for human habitation, and before advancing money under this section for any of the purposes specified in paragraphs (b) to (d) of the said subsection (1) the authority shall satisfy themselves that the house or houses to be constructed, altered, enlarged, repaired or improved or into which the building or buildings is or are to be converted, as the case may be, will, when the construction, alteration, enlargement, repair, improvement or conversion has been completed, be in all respects so fit.
- (3) The following provisions shall have effect with respect to an advance under this section:—
- (a) the advance, together with interest thereon, shall be secured by a bond and disposition in security of lands with which the advance is concerned, or by an assignation in security of such a lease of those lands as is mentioned in paragraph (f) of this subsection ;
 - (b) the amount of the principal of the advance shall not exceed, in the case of a house or houses to be acquired, the value of the subjects disposed or assigned in security, and, in any other case, the value which it is estimated the subjects disposed or assigned in security will bear when the construction, conversion, alteration, enlargement, repair or improvement has been carried out;
 - (c) the bond and disposition or assignation in security may provide for repayment being made either by instalments of principal or by an annuity of principal and interest combined, so however that—
 - (i) in the event of any of the conditions subject to which the advance is made not being complied with, the balance for the time being unpaid shall become repayable on demand by the local authority, and
 - (ii) the said balance may in any event be repaid at any term of Whitsunday or Martinmas by the debtor after one month's written notice of intention to repay has been given to the authority;
 - (d) where the advance is for any of the purposes specified in paragraphs (b) to (d) of subsection (1) of this section it may be made by instalments from time to time as the works of construction, conversion, alteration, enlargement, repair or improvement progress;
 - (e) the advance shall not be made except after a valuation duly made on behalf of the local authority;
 - (f) no advance shall be made unless the estate or interest in the lands proposed to be disposed or assigned in security is either ownership or a lease of which a period of not less than ten years in excess of the period fixed for the repayment of the advance remains unexpired on the date on which the assignation in security is granted.

In this subsection any reference, in relation to an advance, to a bond and disposition in security shall include a reference to a bond and such other deed of heritable security as may be agreed between the parties making and receiving the advance.

- (4) An advance under this section may be made in addition to assistance given by the local authority in respect of the same house under any other Act or any other provision of this Act.

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50 Power of local authority to guarantee repayment of advances by building societies, etc., and Exchequer contributions to loss thereby incurred

- (1) A local authority may, in accordance with proposals in that behalf made by them and approved by the Secretary of State, guarantee the repayment to a building society within the meaning of the Building Societies Act 1962 or a society registered under the Industrial and Provident Societies Act 1965 of any advances, with interest thereon, made by the society to any of its members for the purpose of enabling them to build or acquire houses, whether within or outside the district of the authority.
- (2) Where, on the submission to the Secretary of State by a local authority of proposals under this section, the Secretary of State is satisfied that the proposed guarantee extends only to the principal of, and interest on, the amount by which the sum to be advanced by the society in question exceeds the sum which would normally be advanced by it without the guarantee of the authority, and that the liability under the guarantee of the authority cannot be greater than two-thirds of that principal and interest, the Secretary of State, if he approves the proposals, may, with the consent of the Treasury, undertake to make to the authority an Exchequer contribution of not more than one-half of any loss sustained by them under the terms of the guarantee.

51 Power of local authority to assist in provision of separate service water 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 in their district 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 local water authority (as defined in section 5(4) of the Water (Scotland) Act 1946) 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 subsection (1) of this section, 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 a local water authority as defined as aforesaid (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 local water authority for carrying out the works.

Miscellaneous and general

52 Loans by Public Works Loan Commissioners for provision or improvement of housing accommodation

- (1) The Public Works Loan Commissioners may, subject to the provisions of this section, lend money to any person entitled to any land either as owner or as lessee under a lease of which a period of not less than fifty years remains unexpired at the date of the loan for the purpose of constructing or improving, or facilitating or encouraging the construction or improvement of, houses, and any such person may borrow from the

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Public Works Loan Commissioners such money as may be required for the purposes aforesaid.

- (2) A loan for any of the purposes specified in subsection (1) of this section shall be secured with interest by a heritable security over the land and houses in respect of which that purpose is to be carried out and over such other land and houses, if any, as may be offered as security for the loan.
- (3) Any such loan may be made whether the person receiving the loan has or has not power to borrow on bond and disposition in security or otherwise, independently of this Act, but nothing in this Act or the principal Act shall affect any regulation, statutory or otherwise, whereby any company may be restricted from borrowing until a definite portion of capital is subscribed for, taken or paid up.
- (4) The following conditions shall apply in the case of any such loan:—
 - (a) the period for repayment shall not exceed forty years ;
 - (b) no money shall be lent on the security of any land or houses unless the estate or interest therein proposed to be burdened is either ownership or a lease of which a period of not less than fifty years remains unexpired at the date of the loan;
 - (c) the money lent shall not exceed such proportion as is hereinafter authorised of the value, to be ascertained to the satisfaction of the Public Works Loan Commissioners, of the estate or interest in the land or houses proposed to be burdened in pursuance of subsection (2) of this section; but loans may be made by instalments from time to time as the building of houses or other work on the land so burdened progresses, so, however, that the total loans do not at any time exceed the amount aforesaid ; and the heritable security may be granted accordingly to secure such loans so to be made from time to time.
- (5) The proportion of such value as aforesaid authorised for the purpose of the loan shall be three-fourths:

Provided that if the loan exceeds two-thirds of such value as aforesaid, the Public Works Loan Commissioners shall require, in addition to such heritable security as is mentioned in subsection (2) of this section, such further security as they may think fit.

53 Application of Part II to agricultural tenants, etc.

- (1) For the purposes of the provisions of this Part of this Act relating to improvement grants and to standard grants, a tenant, crofter, landholder or statutory small tenant shall be deemed to be the owner of any house, dwelling, building or other land on his farm, croft or holding if in respect of the execution thereon of improvement works or, as the case may be, of works which comprise the provision of any of the standard amenities he would, on the termination of his tenancy, be entitled to compensation under the Agricultural Holdings (Scotland) Act 1949 or the Crofters (Scotland) Acts 1955 and 1961 or the Small Landholders (Scotland) Acts 1886 to 1931 (as the case may be) as for an improvement.
- (2) A tenant, crofter, landholder or statutory small tenant shall, for the purposes of the provisions of this Part of this Act relating to grants by local authorities for the provision of new houses for the agricultural population, be deemed to be the owner of any house on his farm, croft or holding in respect of which he would, on the termination of his tenancy, be entitled to compensation under the Agricultural Holdings (Scotland)

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Act 1949 or the Crofters (Scotland) Acts 1955 and 1961 or the Small Landholders (Scotland) Acts 1886 to 1931 (as the case may be) as for an improvement.

- (3) Where by virtue of subsection (1) of this section an improvement grant or a standard grant is made, or where assistance is given under section 44 of this Act, to a crofter, a landholder or a statutory small tenant in respect of a house or dwelling on his croft or holding, the local authority shall forthwith intimate to the landlord of the croft or holding that an improvement grant or a standard grant has been so made or that assistance has been so given, as the case may be, and shall inform him of the amount thereof.
- (4) If at any time within the period during which conditions are required by section 30 of this Act (including that section as applied by section 43 thereof), or by section 45 of this Act, to be observed with respect to a house or dwelling provided on a farm, croft or holding otherwise than by the landlord thereof compensation becomes payable in respect of the house or dwelling, or of any works (being improvement works or, as the case may be, works comprising the provision of any of the standard amenities) executed in relation thereto, as for an improvement under the Agricultural Holdings (Scotland) Act 1949 or the Crofters (Scotland) Acts 1955 and 1961 or the Small Landholders (Scotland) Acts 1886 to 1931 (as the case may be), so much of the value of the house or dwelling or works as is attributable to the sum paid by way of improvement grant or standard grant, or by way of assistance under section 44 of this Act, as the case may be, shall be taken into account in assessing the compensation so payable and shall be deducted therefrom.
- (5) The landlord of a farm, croft or holding on which there is a house or dwelling with respect to which conditions are for the time being required to be observed by virtue of section 30 of this Act (including that section as applied by section 43 thereof), or of section 45 of this Act, shall not at any time within the period during which those conditions are so required to be observed be entitled to obtain any consideration by way of rent or otherwise in respect of so much of the value of the house or dwelling, or of any works (being improvement works or, as the case may be, works comprising the provision of any of the standard amenities) executed in relation thereto, as is attributable to the sum paid by way of improvement grant or standard grant, or by way of assistance under section 44 of this Act, as the case may be.

54 Power of Secretary of State to make regulations

The Secretary of State may by statutory instrument make regulations prescribing anything required or authorised by this Part of this Act to be prescribed:

Provided that regulations under this section, other than regulations made for the purposes of section 33(1) of this Act, shall not be made except with the consent of the Treasury.