



# Housing (Financial Provisions) (Scotland) Act 1968

1968 CHAPTER 31

## PART IV

### SUPPLEMENTAL

#### 66 Application of provisions of Housing (Scotland) Act 1966

The following provisions of the principal Act shall apply as if references therein to that Act included references to this Act, that is to say—

- section 1 (definition of local authority for purposes of Act),
- section 2 (power of local authority to appoint committee),
- section 5 (determination of unfitness of house for human habitation),
- section 165 (power of local authority to issue local bonds),
- section 183 (except paragraphs (b) to (g) of subsection (1) thereof) (power of entry for survey, etc.),
- section 184 (penalty for obstructing execution of Act),
- section 191 (authentication of orders, etc., by local authority),
- section 193(1) (default of local authority),
- sections 196 to 198 (provisions regarding orders, forms and regulations),
- sections 200 to 202 (provisions regarding exercise of functions by Secretary of State).

#### 67 Interpretation

- (1) Subject to subsection (2) of this section, and except in so far as the context otherwise requires, expressions used in this Act and in the principal Act have the same meaning in this Act as in that Act.
- (2) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

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" development corporation " means a development corporation within the meaning of the New Towns (Scotland) Act 1968 ;

" Exchequer contribution " means a payment (other than a payment by way of advance or loan) which the Secretary of State is required or authorised by or under this Act, or any Act relating to housing passed before the commencement of this Act, to make for housing purposes;

" financial year ", in relation to a local authority, has the same meaning as in section 174 of the Local Government (Scotland) Act 1947;

" Highlands and Islands " means the area comprising the counties of Argyll, Caithness, Inverness, Ross and Cromarty, Sutherland, Orkney and Zetland, but excluding any large burgh;

" loan charges " means, in relation to any borrowed moneys, the sums required for the payment of interest on those moneys and for the repayment thereof either by instalments or by means of a sinking fund ;

" the principal Act " means the Housing (Scotland) Act 1966.

- (3) Any reference in this Act to any enactment shall be construed as including a reference to that enactment as amended, extended or applied by or under any other enactment including, unless the context otherwise requires, this Act.

## **68 Construction of references to this Act, etc.**

- (1) Without prejudice to section 70 of this Act, any reference in any provision of this Act to, or to things done or falling to be done under, this Act or the principal Act or the Housing (Scotland) Act 1950 or the Housing (Scotland) Act 1925 or any provision of any of those Acts shall, in so far as the context permits, be construed as including, in relation to times, circumstances and purposes in relation to which the enactments repealed by this Act or by the principal Act or by the Housing (Scotland) Act 1950 or by the Housing (Scotland) Act 1925, or the corresponding provision of any of those enactments, had effect, a reference to, or to things done or falling to be done under, those enactments or, as the case may be, that corresponding provision:

Provided that this subsection shall not have effect in relation to section 60 of, or Schedule 7 to, this Act.

- (2) Nothing in this section or section 69 or section 70 of this Act shall be taken as affecting the general application of section 38 of the Interpretation Act 1889 with regard to the effect of repeals.

## **69 Consequential amendment of Housing (Scotland) Act 1966**

The principal Act shall have effect subject to the amendments specified in Schedule 9 to this Act, being amendments consequential on the provisions of this Act.

## **70 Repeals and savings**

- (1) Subject to the provisions of this section, the enactments mentioned in Schedule 10 to this Act are hereby repealed to the extent specified in relation thereto in column 3 of that Schedule.
- (2) The repeal by this Act of any enactment shall not affect—

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- (a) any order, regulation, rule or other instrument made or having effect as if made under that enactment, or
  - (b) any agreement, application, approval, condition, determination, undertaking or other thing made, given, imposed or done, or having effect as if made, given, imposed or done, under that enactment,
- and any such instrument or other thing shall, if in force at the commencement of this Act, continue in force and so far as it could have been made, given, imposed or done under this Act, have effect, and be treated, as if made, given, imposed or done under the corresponding provision of this Act.
- (3) The repeal by this Act of any enactment re-enacted in this Act shall not affect any existing undertaking or other liability to make a periodical or other payment after the commencement of this Act, and the provisions of this Act shall apply so as to require that payment to be made under the corresponding provision of this Act.
  - (4) The repeal by this Act of any enactment shall not affect the saving contained in section 11(1) of the Housing (Financial Provisions, &c.) (Scotland) Act 1967 in relation to the enactments repealed by the said section 11(1) and mentioned in Schedule 3 to the said Act.
  - (5) So much of any enactment or other document as refers expressly or by implication to any enactment repealed by this Act or by the Housing (Scotland) Act 1950 or by the Housing (Scotland) Act 1925 shall, in so far as the context permits and as may be necessary to preserve the effect of the first-mentioned enactment or other document, be construed as referring, or (as the case may require) as including a reference, to this Act or the corresponding enactment therein.
  - (6) The repeal by this Act of any provision of any Act shall not affect the application of that provision to any other provision of that Act which is not repealed by this Act.

## **71 Short title, commencement and extent**

- (1) This Act may be cited as the Housing (Financial Provisions) (Scotland) Act 1968.
- (2) This Act shall come into force on the expiration of a period of three months beginning with the date on which it is passed.
- (3) This Act shall extend to Scotland only.