

SCHEDULES

SCHEDULE 13

Section 130.

MINOR AND CONSEQUENTIAL AMENDMENTS

The Sheriff Courts (Scotland) Act 1907

- 1 In the Sheriff Courts (Scotland) Act 1907, after section 38 there shall be inserted the following section—

“38A Notice of termination in respect of dwelling-houses.

Any notice of termination of tenancy or notice of removal given under section 37 or 38 above in respect of a dwelling-house, on or after the date of the coming into operation of section 123 of the Housing Act 1974, shall be in writing and shall contain such information as may be prescribed by virtue of section 131 of the Rent (Scotland) Act 1971, and Rule 112 of Schedule 1 to this Act shall no longer apply to any such notice under section 37 above.”

The Magistrates' Courts Act 1952

- 2 In Schedule 1 to the Magistrates' Courts Act 1952 (indictable offences by adults which may be dealt with summarily with consent of accused) the following paragraph shall be inserted after paragraph 14:—

“14A Offences under section 24B(7) of the Housing Subsidies Act 1967”.

The Housing Act 1957

- 3 In section 70 of the Housing Act 1957 (provisions as to re-development, improvement or structural alteration by owners not to have effect in certain cases) in subsection (1) for the words from " clearance order " to " so confirmed " there shall be substituted the words " compulsory purchase order confirmed by the Minister ".

- 4 In section 105 of that Act (local authority's powers of dealing with land acquired for provision of housing accommodation) after subsection (4) there shall be inserted the following subsection:—

“(4A) Where a local authority acquire a house or building which may be made suitable as a house (or an estate or interest therein) and, in the case of such a building, themselves carry out any necessary work as mentioned in the last foregoing subsection, they shall, as soon as practicable after the acquisition or, as the case may be, after the completion of the necessary work, secure that the house or building is used as housing accommodation.”

- 5 Section 121 of that Act (arrangements with housing associations for improvement of housing) shall cease to have effect, but without prejudice to the continuation of any arrangements made before the day appointed for the coming into operation of this paragraph.

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- 6 In section 189(1) of that Act, in the definition of " housing association" after the words " those of" there shall be inserted the word " providing " and after the word " houses " there shall be inserted the words " or hostels, as defined in section 129(1) of the Housing Act 1974 " .
- 7 In Schedule 2 to that Act (payments in respect of unfit houses) in the proviso to paragraph 4(4) for the words " demolition or closing order or clearance order" there shall be substituted the words " or demolition or closing order " and in paragraph 5(1)(b) for the words " closing order or clearance order" there shall be substituted the words " or closing order " .

The Land Compensation Act 1961

- 8 (1) In Schedule 2 to the Land Compensation Act 1961 (acquisition of houses as being unfit for human habitation) in sub-paragraph (2) of paragraph 2 (application of certain provisions of Housing Act 1957) for the words " sections sixty and sixty-one of that Act, and " there shall be substituted the words " section 61 of that Act, and Part II of " and for the words "that Schedule" there shall be substituted the words " that Part of that Schedule " .
- (2) After the said sub-paragraph (2) there shall be inserted the following sub-paragraphs:

“(2A) Where the local authority make and submit an order under sub-paragraph (2) of this paragraph in relation to a house, the provisions of section 60 of the Act of 1957 and Part I of Schedule 2 thereto shall apply, subject to sub-paragraph (2B) of this paragraph, as if—

- (a) the house had been made the subject of a compulsory purchase order under Part III of that Act as being unfit for human habitation ; and
- (b) any reference in those provisions to a local authority, other than a provision requiring, or enabling the Secretary of State to direct, a local authority to make a payment, were a reference to the appropriate local authority.

(2B) In the application of section 60 of the Act of 1957 by virtue of sub-paragraph (2A) of this paragraph—

- (a) for the reference in subsection (1) to a notice under paragraph 2(1)(b) of Schedule 3 or, as the case may be, paragraph 3(1)(b) of Schedule 5 to that Act there shall be substituted a reference to a notice under sub-paragraph (3) of this paragraph ;
- (b) in so far as any provision of subsection (1C) or subsection (1D) of that section requires, or enables the Secretary of State to direct, a local authority to make a payment, the reference to a local authority shall be construed as a reference to the acquiring authority;
- (c) the reference in subsection (1C) of that section to the compulsory purchase order being confirmed by the Secretary of State shall be construed as a reference to the condition in either paragraph (a) or paragraph (b) of sub-paragraph (2) of this paragraph being fulfilled ; and
- (d) for the reference in subsection (1D)(b) of that section to the compulsory purchase order or clearance order concerned

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there shall be substituted a reference to the order under sub-paragraph (2) of this paragraph.”

- (3) The amendments effected by sub-paragraphs (1) and (2) above shall have effect with respect to orders under paragraph 2(2) of Schedule 2 to the Land Compensation Act 1961 made on or after the day on which section 108 of this Act comes into operation.

The Landlord and Tenant Act 1962

- 9 At the end of section 6 of the Landlord and Tenant Act 1962 (interpretation) there shall be added the following subsection:—

“(2) Any reference in section 2(1)(a) or section 3(1) of this Act to a person's address is a reference to his place of abode or his place of business or, in the case of a company, its registered office.”

The Housing Act 1964

- 10 (1) In section 5(1) of the Housing Act 1964 (schemes for Corporation to provide housing accommodation in place of housing society) after the words " housing society ", in the first place where they occur, there shall be inserted the words " which is not a registered housing association, within the meaning of the Housing Act 1974, and to which a loan has been made under section 2 of this Act before the operative date ".
- (2) In section 8 of that Act (building society advances to housing societies to which Corporation have made loans) for the words " housing society" or " housing societies", in each place where they occur, there shall be substituted respectively the words " housing association " or " housing associations ".
- (3) In section 10(4) of that Act (account to be prepared of certain sums advanced to and repaid by the Corporation) after the words "this Act" there shall be inserted the words " or Part I of the Housing Act 1974 ".
- (4) In subsection (1) of section 11 of that Act (power of Corporation to authorise Scottish Special Housing Association to act in Scotland as Corporation's agents for certain purposes) the words " section 3 " and " section 6 " shall be omitted and at the end of that subsection there shall be added the words " or under section 3(1), section 4 or section 5 of the Housing Act 1974 ".
- (5) Section 72 of that Act (restriction on recovery of possession after making of compulsory purchase order) shall be amended as follows:—
- (a) in subsection (1) in the definition of " the relevant period " the words " of twelve months", in each case where they occur, shall be omitted and after the words " making of the said order " there shall be inserted the words " and ending on the third anniversary of the date on which the order becomes operative ";
- (b) in subsection (2) in paragraph (a) for the words from " not exceeding" to " said compulsory purchase order" there shall be substituted the words " not extending beyond the end of the period of three years beginning on the relevant date " and in paragraph (b) for the words " twelve months " there shall be substituted the words " three years "; and
- (c) after subsection (2) there shall be inserted the following subsection:—
- “(2A) for the purposes of subsection (2) above " the relevant date " means—

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- (a) if the compulsory purchase order concerned has become operative before the date on which the court exercises its power under that subsection, the date on which the order became operative; and
- (b) in any other case the date on which the court exercises or, as the case may be, exercised its power under paragraph (a) of that subsection in relation to the order for possession in question.”

The Housing (Slum Clearance Compensation) Act 1965

- 11 In section 2 of the Housing (Slum Clearance Compensation) Act 1965 (money borrowed by owner-occupier to purchase unfit house or on security of an unfit house) in subsection (2) for the words " closing order or clearance order " there shall be substituted the words " or closing order " .

The Housing (Scotland) Act 1966

- 12 In section 135 of the Housing (Scotland) Act 1966, the same amendments shall be made as are set out in paragraph 10(5) above with the substitution for the reference to an order for possession of a reference to a decree of removing or warrant of ejection or other like order.
- 13 Sections 153 to 155 and 159 of the Housing (Scotland) Act 1966 shall cease to have effect.
- 14 In section. 175 of that Act (compulsory purchase of land by Scottish Special Housing Association) in subsection (2) (power of Association to acquire land compulsorily for selling it or leasing it to' a housing society) for the words from " section 4(1) of the Housing Act 1964 " to the end of the subsection there shall be substituted the words " section 3(5) of the Housing Act 1974, acquire land compulsorily " and in subsection (3) (application of Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947) after the word " and ", in the second place where it occurs, there shall be inserted the words " in relation to the exercise of the Association's powers under subsection (1) of this section " .
- 15 In section 208(1) of that Act, in the definition of "housing association" after the words " those of" there shall be inserted the word " providing " and after the words " housing accommodation " there shall be inserted the words " including hostels, as defined in section 21(4) of the Housing (Financial Provisions) (Scotland) Act 1968 " .

The Rent Act 1968

- 16 In section 5(6) of the Rent Act 1968 (conditions for a housing association tenancy to be excluded from that Act) after paragraph (cc) there shall be inserted the following paragraph:—
- “(cc) that the dwelling was comprised in a housing project approved for the purposes of section 29 of the Housing Act 1974”.
- 17 (1) In section 57 of that Act (grant-aided improvements, etc.) in paragraph (a) of subsection (1) (amount of certain grants to be disregarded in increasing rent limit) after the words " (improvement grants and standard grants)" there shall be inserted

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the words " section 61 or section 65 of the Housing Act 1974 (improvement grants and intermediate grants) ".

- (2) In subsection (2) of that section (amount of certain grants obtainable but not obtained to be disregarded in increasing rent limit) after the words " the Housing Act 1964" there shall be inserted the words " or an improvement notice within the meaning of Part VIII of the Housing Act 1974 ", for the words " that Part of that Act" there shall be substituted the words " either of those Parts ", after the words " the Housing Act 1969 " there shall be inserted the words " or an intermediate grant under section 65 of the Housing Act 1974 " and after the words " the standard grant" there shall be inserted the words " or intermediate grant ".

The Housing (Financial Provisions) (Scotland) Act 1968

- 18 (1) Sections 16 and 17 of the Housing (Financial Provisions) (Scotland) Act 1968 shall cease to have effect.
- (2) In section 18(1) of that Act (local authority to furnish certain particulars to Secretary of State for purpose of determining the amount of certain Exchequer contributions) the words from "or any such " to " section 16 of this Act" and the words " or arrangements " shall be omitted.

The Housing Act 1969

- 19 In section 69 of the Housing Act 1969 (repayment of certain payments made under the Housing Act 1957 or that Act), for the words " closing order or clearance order " there shall be substituted the words " or closing order ".
- 20 (1) In section 75 of that Act (power of local authority to carry out works of improvement by agreement with and at expense of owner, etc.) in subsection (1) for the words " Part I of this Act", in the first place where they occur, there shall be substituted the words " Part VII of the Housing Act 1974 " and for the words " Part I of this Act", in the second place where they occur, there shall be substituted the words " that Part ".
- (2) In subsection (2) of that section, paragraph (b) shall be omitted and, in paragraph (c), for the words " section 27 of this Act " there shall be substituted the words " section 84 of the Housing Act 1974 ".
- 21 In Schedule 5 to that Act (payments to owner-occupiers and others in respect of unfit houses purchased or demolished) in paragraph 1(1) for the words " a closing order under section 17 of that Act or a clearance order " there shall be substituted the words " or a closing order under section 17 of that Act ".

The Rent (Scotland) Act 1971

- 22 In section 5(5) of the Rent (Scotland) Act 1971 (conditions for a housing association tenancy to be excluded from that Act) after paragraph (f) there shall be inserted the following paragraph:—
- “(g) that the dwelling-house was comprised in a housing project approved for the purposes of section 29 of the Housing Act 1974”.

The Housing (Financial Provisions) (Scotland) Act 1972

- 23 (1) In section 23(3)(a) of the Housing (Financial Provisions) (Scotland) Act 1972 (certain buildings not to be included among those in respect of which local authority

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are required to keep a housing revenue account) after the words " the Act of 1968" there shall be inserted the words " or section 107 of the Housing Act 1974 ".

- (2) In section 52 of that Act (the basic residual subsidy), at the beginning of subsection (8) (the withdrawal factor for years subsequent to 1972-73) there shall be inserted the words " Subject to subsection (9) below " and after that subsection there shall be added the following subsection:—

“(9) For the year 1974-75, the withdrawal factor is zero.”.

- (3) In section 53 of that Act (the special residual subsidy), at the beginning of subsection (9) (the reduction factor for houses completed during any specified year) there shall be inserted the words " Subject to subsection (10) below " and after that subsection there shall be added the following subsection:—

“(10) For the purposes of subsections (6)(b) and (7) above the reduction factor for houses completed during the year 1972-73 or, as the case may be, 1973-74 is zero.”

- (4) In sections 54(1) and 55(12) of that Act (power of Secretary of State to modify basis of calculation of certain subsidies where a housing association's income for any year will be inadequate to meet the expenditure which it would be reasonable for them to incur in that year in exercise of their housing functions) after the words " will be " there shall be inserted the words " or was " and after the words "would be" there shall be inserted the words " or, as the case may be, was ".

- (5) In section 61(2) of that Act (rents to be registrable under Part IV of the Rent (Scotland) Act 1971) after the words " the Act of 1971 " there shall be inserted the words " (and no other provisions of that Act) shall apply to a tenancy to which the said sections 60 to 66 apply and in their application to such tenancies ".

- (6) After subsection (3) of section 62 of that Act (rent limit where no rent is registered) there shall be inserted the following subsection—

“(3A) The reference in paragraph (b) of subsection (3) above to another tenancy includes, in addition to a tenancy to which sections 62 to 66 of this Act apply, a regulated tenancy within the meaning of the Act of 1971—

- (a) which subsisted at any time after the operative date, within the meaning of the Housing Act 1974 ; and
 (b) under which, immediately before it came to an end, the interest of the landlord belonged to a housing association”.

- (7) In section 66 of that Act (increase of rent without notice to quit) the reference to a housing association shall, on and after the operative date, be construed as not extending to an unregistered housing association unless the provisions of section 18(1)(b) or (c) of this Act apply to that association.

The Housing Finance Act 1972

24

In the Housing Finance Act 1972 (in this Schedule referred to as " the 1972 Act"), in paragraph (e) of section 12(1) (with the consent of the Secretary of State, a local authority may include in their Housing Revenue Account income and expenditure in respect of houses and buildings not specifically referred to in paragraphs (a) to (d) of that section) after the word " such " there shall be inserted the word " land " and at the end of that paragraph there shall be added the words " and any consent

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- given by the Secretary of State for the purposes of this paragraph may be given either generally to local authorities or to any local authority or description of local authority or in any particular case ".
- 25 (1) In section 28 of the 1972 Act (application for qualification certificate) in subsection (1) (application may be combined with application for a grant under Part I of the Housing Act 1969) for the words " Part I of the Housing Act 1969 " there shall be substituted the words " Part VII of the Housing Act 1974 ".
- (2) In subsection (4) of that section (local authority need not serve notice on tenant where they approved an application for a grant under section 2(1) or section 9(1) of the Housing Act 1969 and work has been carried out) after the words " section 2(1) or section 9(1) of the Housing Act 1969 " there shall be inserted the words " or section 61(1) or section 65(1) of the Housing Act 1974 ".
- 26 (1) In section 33 of the 1972 Act (if one of two conditions is satisfied, county court may by order empower landlord to carry out certain works to which tenant does not consent) in subsection (2)(a) (one of the conditions is that the works were specified in an application for a grant under Part I of the Housing Act 1969 and the application has been approved) after the words "Part I of the Housing Act 1969 " there shall be inserted the words " or Part VII of the Housing Act 1974 ".
- (2) At the end of subsection (3) of that section (order under subsection (1) may impose conditions as to time for carrying out works) there shall be added the words " or section 82(1) of the Housing Act 1974 ".
- 27 In section 34(3) of the 1972 Act (definitions for purposes of Part III of the Act: " standard amenities " has the meaning assigned to it by section 7 of the Housing Act 1969) for the words " section 7 of the Housing Act 1969 " there shall be substituted the words " section 58 of the Housing Act 1974 ".
- 28 In section 38(2) of the 1972 Act (section 25(1) of the Rent Act 1968, which provides for increase in recoverable rent for improvements, not to apply to improvements with respect to which a grant under Part I of the Housing Act 1969 is payable or has been paid) after the words " Part I of the Housing Act 1969 " there shall be inserted the words " or Part VII of the Housing Act 1974 ".
- 29 In section 45 of the 1972 Act (protection of tenant with security of tenure where grant-aided improvement is carried out) in subsection (1) after the words "Part I of the Housing Act 1969 " there shall be inserted the words " or Part VII of the Housing Act 1974 ".
- 30 In section 72 of the 1972 Act (the basic residual subsidy) at the beginning of subsection (9) (the withdrawal factor for years subsequent to 1972-73) there shall be inserted the words " Subject to subsection (10) below and after that subsection there shall be added the following subsection:—"
- “(10) For the year 1974-75, the withdrawal factor is zero”.
- 31 In section 73 of the 1972 Act (the special residual subsidy) at the beginning of subsection (7) (the reduction factor for dwellings completed during any specified year) there shall be inserted the words " Subject to subsection (8) below and after that subsection there shall be added the following subsection:—"
- “(8) For the purposes of subsections (4)(b) and (5) above, the reduction factor for dwellings completed during the year 1972-73 or, as the case may be, 1973-74 is zero”.

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- 32 In sections 74(1) and 75(12) of the 1972 Act (power of Secretary of State to modify basis of calculation of certain subsidies where a housing association's income for any year will be inadequate to meet the expenditure which it would be reasonable for them to incur in that year in exercise of their housing functions) after the words " will be " there shall be inserted the words " or was " and after the words " would be " there shall be inserted the words " or, as the case may be, was ".
- 33 (1) In subsection (2) of section 82 of the 1972 Act (application of certain provisions of Part IV of Rent Act 1968 in relation to tenancies to which Part VIII of the 1972 Act applies),—
- (a) after the words " the following" there shall be inserted the words " and no other "; and
 - (b) after the word " shall" there shall be inserted the words " apply in relation to tenancies to which this Part of this Act applies, and in their application to such tenancies shall ".
- (2) If, pursuant to an application by a local authority under section 44A of the Rent Act 1968, a rent has, at any time before the appointed day, been registered in the part of the register under Part IV of that Act which is provided for by subsection (1) of section 82 of the 1972 Act, that registration—
- (a) shall be as valid as if section 44A of the Rent Act 1968 had, before the appointed day, been specified in subsection (2) of section 82 of the 1972 Act; and
 - (b) shall be treated on and after the appointed day as if it had been effected pursuant to an application under section 44 of the Rent Act 1968.
- (3) In this paragraph "the appointed day" means the day appointed for the coming into operation of this paragraph.
- 34 After subsection (3) of section 83 of the 1972 Act (rent limit where no rent is registered) there shall be inserted the following subsection—
- “(3A) The reference in paragraph (b) of subsection (3) above to another tenancy includes, in addition to a tenancy to which this Part of this Act applies, a regulated tenancy, within the meaning of the Rent Act 1968—
- (a) which subsisted at any time after the operative date, within the meaning of the Housing Act 1974 ; and
 - (b) under which, immediately before it came to an end, the interest of the landlord belonged to a housing association”.

35 (1) In section 91(1) of the 1972 Act (exceptions from duty to give information about service charges) at the end of paragraph (d) there shall be added the words " which either is registered under section 13 of the Housing Act 1974 or falls within any of paragraphs (a) to (c) of section 18(1) of that Act. "

(2) This paragraph shall come into operation on the operative date.

36 In Schedule 1 to the 1972 Act (the Housing Revenue Account) in paragraph (d) of paragraph 1(1) (amounts to be carried to the credit of the account to include contributions towards costs of improvements and conversions) the word " or " at the end of sub-paragraph (iii) shall be omitted and, after sub-paragraph (iv), there shall be inserted the words “or

 - (v) section 79 of the Housing Act 1974”.

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- 37 In Schedule 6 to the 1972 Act (restriction on rent increases) in paragraph 1(1) and, in paragraph 2, in Case F in the Table, after the words "Part I of the Housing Act 1969 " there shall be inserted the words " or Part VII of the Housing Act 1974 ".

The Land Compensation Act 1973

- 38 (1) In the Land Compensation Act 1973 (in this Schedule referred to as "the 1973 Act"), in section 29 (right to home loss payment where person displaced from dwelling) subsection (1) shall be amended as follows:—

(a) at the end of paragraph (b) there shall be added the words " or the service of an improvement notice, within the meaning of Part VIII of the Housing Act 1974, in respect of the dwelling ";

(b) in paragraph (c) after the words " the carrying out of " there shall be inserted the words " any improvement to the dwelling or of " and at the end of that paragraph there shall be added the following paragraph:—

“(d) where the land has previously been acquired by a registered housing association, within the meaning of the Housing Act 1974, or by an unregistered housing association which falls within section 18(1)(a) of that Act, the carrying out by that association of any improvement to the dwelling or of redevelopment on the land”; and

(c) for the words from " the acquiring authority" to the end of the subsection there shall be substituted the following paragraphs:—

“(i) where paragraph (a) above applies, the acquiring authority;

(ii) where paragraph (b) above applies, the authority who made the order, passed the resolution, accepted the undertaking or served the notice ;

(iii) where paragraph (c) above applies, the authority carrying out the improvement or redevelopment; and

(iv) where paragraph (d) above applies, the housing association carrying out the improvement or redevelopment.”

- (2) After subsection (3) of that section there shall be inserted the following subsection:—

“(3A) For the purposes of this section a person shall not be treated as displaced from a dwelling in consequence of the acceptance of an undertaking, of the service of such an improvement notice as is mentioned in subsection (1)(b) above or of the carrying out of any improvement to the dwelling unless he is permanently displaced from it in consequence of the carrying out of the works specified in the undertaking or notice or, as the case may be, of the improvement in question”.

- (3) In subsection (7) of that section for the words "or section 15(4)(i) of the said Act of 1966 " there shall be substituted the words " section 15(4)(i) of the said Act of 1966 or section 87 of the Housing Act 1974 ", the words "and 'redevelopment' includes a change of use " shall be omitted and at the end of that subsection there shall be inserted the following subsection:—

“(7A) In this section—

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' improvement ' includes alteration and enlargement; and ' redevelopment' includes a change of use.”

- 39 (1) In section 37 of the 1973 Act (disturbance payments for persons without compensatable interests) subsection (1) shall be amended—
- (a) by adding, at the end of paragraph (b), the words " or the service of an improvement notice, within the meaning of Part VIII of the Housing Act 1974, in respect of a house on the land ";
 - (b) by inserting, in paragraph (c), after the words " the carrying out of " the words " any improvement to a house or building on the land or of " ;
 - (c) by adding, at the end of paragraph (c) the following paragraph:—
 - “(d) where the land has previously been acquired by a registered housing association, within the meaning of the Housing Act 1974, or by an unregistered housing association which falls within section 18(1)(a) of that Act, the carrying out by that association of any improvement to a house or building on the land or of redevelopment on that land”; and
 - (d) by making the like amendments as are specified, in relation to section 29(1) of that Act, in paragraph 38(1)(c) above.
- (2) Subsection (3) of that section shall be amended as follows:—
- (a) for the words "or redevelopment as is mentioned in paragraph (a) or (c)" there shall be substituted the words " improvement or redevelopment as is mentioned in paragraph (a), (c) or (d) ";
 - (b) for the words " or undertaking " there shall be substituted the words " undertaking or improvement notice ";
 - (c) for the words " or the undertaking was accepted" there shall be substituted the words " the undertaking was accepted or the notice was served ".
- (3) After subsection (3) of that section there shall be inserted the following subsection:—
- “(3A) For the purposes of subsection (1) above a person shall not be treated as displaced in consequence of the acceptance of an undertaking, of the service of such an improvement notice as is mentioned in paragraph (b) of that subsection or of the carrying out of any improvement to a house or building unless he is permanently displaced in consequence of the carrying out of the works specified in the undertaking or notice or, as the case may be, of the improvement in question.”
- (4) In subsection (9) of that section after the word " undertaking " there shall be inserted the word " ' improvement' ".
- 40 (1) In section 39 of the 1973 Act (duty to rehouse residential occupiers) in paragraph (c) of subsection (1) after the words " the carrying out of " there shall be inserted the words " any improvement to a house or building on the land or of " and at the end of that paragraph there shall be added the following paragraph:—
- “(d) the service of an improvement notice, within the meaning of Part VIII of the Housing Act 1974, in respect of premises in which that accommodation is situated”.
- (2) In subsection (3) of that section after the word "demolition " there shall be added the words " or improvement ".

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- (3) In subsection (6) of that section after the words " such acquisition " there shall be inserted the word " improvement ", after the words " paragraph (b) of that subsection " there shall be inserted the words " or of such an improvement notice as is mentioned in paragraph (d) of that subsection " and for the words " or the undertaking was accepted " there shall be substituted the words " the undertaking was accepted or the notice was served ".
- (4) After subsection (6) of that section there shall be inserted the following subsection:—
- “(6A) For the purposes of subsection (1) above a person shall not be treated as displaced in consequence of the acceptance of an undertaking, of the carrying out of any improvement to a house or building or of the service of such an improvement notice as is mentioned in paragraph (d) of that subsection unless he is permanently displaced from the residential accommodation in question in consequence of the carrying out of the works specified in the undertaking, the carrying out of the improvement or, as the case may be, the carrying out of the works specified in the notice.”
- (5) In subsection (7) of that section for the words " subsection (8) " there shall be substituted the words " subsections (8) and (8A) ".
- (6) After subsection (8) there shall be inserted the following subsection:—
- “(8A) In a case where subsection (1) above applies in consequence of the acceptance of an undertaking under section 87 of the Housing Act 1974 or the service of an improvement notice within the meaning of Part VIII of that Act, the relevant authority for the purposes of this section is the authority which is the local authority, within the meaning of Part VII of that Act, in relation to the premises in which the residential accommodation is situated”.
- (7) In subsection (9) of that section after the word " undertaking " there shall be inserted the word " ' improvement' ".
- 41 (1) In section 43 of the 1973 Act (power to defray expenses in connection with acquisition of new dwellings) in subsection (1),—
- (a) for the words " any such acquisition as is mentioned in section 39(1)(a) above ", there shall be substituted the words " any of the events specified in paragraphs (a) to (d) of section 39(1) above ; and
- (b) for the words " the acquiring authority " there shall be substituted the words " then, according to the nature of the event in consequence of which he was displaced, the acquiring authority, the authority who made the order, passed the resolution, accepted the undertaking or served the notice or the authority carrying out the improvement or redevelopment ".
- (2) In subsection (4) of that section for the words " and (6) " there shall be substituted the words " (6) and (6A) " and for the words " subsection (1)(a) " there shall be substituted the words " any provision of subsection (1) ".

The Land Compensation (Scotland) Act 1973

- 42 (1) In section 27 of the Land Compensation (Scotland) Act 1973 (right to home loss payment where person displaced from dwelling), subsection (1) shall be amended as follows:—

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- (a) in paragraph (c) after the words " the carrying out of" there shall be inserted the words " any improvement to the dwelling or of " and at the end of that paragraph there shall be added the following paragraph:—
 - “(d) where the land has previously been acquired by a registered housing association, within the meaning of the Housing Act 1974, the carrying out by that association of any improvement to the dwelling or of redevelopment on the land”; and
 - (b) for the words from "the acquiring authority" to the end of the subsection there shall be substituted the following paragraphs:—
 - “(i) where paragraph (a) above applies, the acquiring authority;
 - (ii) where paragraph (b) above applies, the authority who made the order, passed the resolution or accepted the undertaking;
 - (iii) where paragraph (c) above applies, the authority carrying out the improvement or redevelopment; and
 - (iv) where paragraph (d) above applies, the housing association carrying out the improvement or redevelopment.”
- (2) After subsection (3) of that section there shall be inserted the following subsection:—
- “(3A) For the purposes of this section a person shall not be treated as displaced from a dwelling in consequence of the carrying out of any improvement to the dwelling unless he is permanently displaced from it in consequence of the carrying out of the improvement in question.”
- (3) In subsection (7) of that section the words " and ' redevelopment ' includes a change of use " shall be omitted and at the end of that subsection there shall be inserted the following subsection:—
- “(7A) In this section
 ' improvement ' includes alteration and enlargement; and '
 redevelopment ' includes a change of use”.
- 43 (1) In section 34 of that Act (disturbance payments for persons without compensatable interests), subsection (1) shall be amended—
- (a) by inserting, in paragraph (c), after the words " the carrying out of " , the words "any improvement to a house or building on the land or of " ;
 - (b) by adding, at the end of paragraph (c), the following paragraph:—
 - “(d) where the land has previously been acquired by a registered housing association, within the meaning of the Housing Act 1974, the carrying out by that association of any improvement to a house or building on the land or of redevelopment on that land”; and
 - (c) by making the like amendments as are specified, in relation to section 27(1) of that Act, in paragraph 42(1)(b) above.
- (2) In subsection (3) of that section for the words " or redevelopment as is mentioned in paragraph (a) or (c)" there shall be substituted the words " improvement or redevelopment as is mentioned in paragraph (a), (c) or (d) ”.

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

- (3) After subsection (3) of that section, there shall be inserted the following subsection:
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- “(3) For the purposes of subsection (1) above a person shall not be treated as displaced in consequence of the carrying out of any improvement to a house or building unless he is permanently displaced in consequence of the carrying out of the improvement in question”.
- (4) In subsection (8) of that section after the word " undertaking " there shall be inserted the word " ' improvement' ".
- 44 (1) In section 36 of that Act (duty to rehouse residential occupiers) in paragraph (c) of subsection (1) after the words "the carrying out of " there shall be inserted the words " any improvement to a house or building on the land or of ".
- (2) In subsection (3) of that section after the word " demolition " there shall be added the words " or improvement ".
- (3) In subsection (6) of that section after the words " such acquisition " there shall be inserted the word " improvement ".
- (4) In subsection (9) of that section after the word " undertaking " there shall be inserted the word " ' improvement' ".
- 45 (1) In section 40 of that Act (power to defray expenses in connection with acquisition of new dwellings) in subsection (1)—
- (a) for the words " any such acquisition as is mentioned in section 36(1)(a) above there shall be substituted the words " any of the events specified in paragraphs (a) to (c) of section 36(1) above "; and
- (b) for the words " the acquiring authority" there shall be substituted the words " then, according to the nature of the event in consequence of which he was displaced, the acquiring authority, the authority who made the order, passed the resolution or accepted the undertaking or the authority carrying out the improvement or re-development ".
- (2) In subsection (4) of that section for the words "subsection (1)(a) " there shall be substituted the words " any provision of subsection (1) ".

Local Government (Scotland) Act 1973

- 46 (1) Section 131(3) shall cease to have effect.
- (2) In Schedule 12, in paragraph 6, in the substituted section 1 for the words " sections 152 and 153 " there shall be substituted the words " section 152 " ; and paragraph 11 shall be omitted.