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*Changes to legislation: There are currently no known outstanding effects for the Housing Act 1974, Paragraph 40. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 13

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The <sup>M1</sup>Land Compensation Act 1973*

**Marginal Citations**

**M1** 1973 c. 26.

40<sup>[F1X1]</sup>(1) In section 39 of the Act of 1973 (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 of or . . . <sup>F2</sup>.]

<sup>[F1X1]</sup>(2) In subsection (3) of that section after the word “demolition there shall be added the words “or improvement.]

<sup>[F1X1]</sup>(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.]

<sup>[F1X1]</sup>(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.”]

<sup>[F1X1]</sup>(5) In subsection (7) of that section for the words “subsection (8) there shall be substituted the words “subsections (8) and (8A).]

<sup>F3</sup>(6) .....

<sup>[F1X1]</sup>(7) In subsection (9) of that section after the word “undertaking there shall be inserted the word “improvement.]

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#### **Editorial Information**

- X1** The text of Ss. 130(4), Sch. 13 paras. 38(1)(b)(c), 38(2)(3), 39(1)(b)(d), 39(2)–(4), 40(1)–(5)(7), 41, 42(1) (a) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### **Textual Amendments**

- F1** Sch. 13 paras. 1, 22, 23(1), 23(5)–(7), 38(1)(b)(c), 38(2)(3), 39(1)(b)–(d), 39(2)–(4), 40(1)–(5), 40(7), 41 repealed (S.) by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), **Sch. 24**
- F2** Words repealed (E.W.) by [Local Government and Housing Act 1989 \(c. 42, SIF 61\)](#), s. 194(4), **Sch. 12 Pt. II**
- F3** Sch. 13 paras. 24, 30–32, 35, 36, 40(6), Sch. 15 repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 3, **Sch. 1 Pt. I** (by s. 6(3) it is provided that s. 3 and Sch. 1 Pt. 1 of the Act extend to England And Wales) and (S.) by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), **Sch. 24**

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