



# House Purchase and Housing Act 1959

1959 CHAPTER 33 7 and 8 Eliz 2

## PART I

### LOANS FOR PURCHASE OF HOUSES

#### **1 Designation of building societies for investment by trustees and government loans.**

- (1) Where the Chief Registrar of Friendly Societies (in this section referred to as the Registrar) is satisfied that a permanent building society fulfils such requirements as to its assets and liabilities, liquid funds, reserves, and other matters, as the Treasury may by regulations prescribe, he may designate the society for the purposes of this section; and where a society has been so designated and the designation has not been revoked—
  - (a) .....<sup>F1</sup>
  - (b) the Minister may make advances to the society in accordance with the provisions of section two of this Act.
- (2) Where the officer appointed to perform in Northern Ireland the functions of registrar of friendly societies (in this section referred to as the Registrar for Northern Ireland) is satisfied that a society incorporated under the Building Societies Acts (Northern Ireland) 1874 to 1940, which is a permanent society within the meaning of those Acts fulfils the requirements prescribed under subsection (1) of this section, he may designate the society for the purposes of [<sup>F2</sup>paragraph 12 of Part II and paragraph 2 of Part III of the First Schedule to the <sup>M1</sup>Trustee Investments Act 1961]; and where a society has been so designated and the designation has not been revoked, that paragraph shall apply in relation to it as it applies in relation to a permanent building society within the meaning of this Act.
- (3) The Registrar or, as the case may be, the Registrar for Northern Ireland, shall publish in the London, Edinburgh and Belfast Gazettes a notice of every designation made by him under this section and of any revocation of such a designation.
- (4) If any person knowingly or recklessly makes or causes or procures another person to make a false or misleading statement in connection with any information which the

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Registrar or the Registrar for Northern Ireland may request for the purposes of this section he shall be guilty of an offence and liable on summary conviction to a fine not exceeding one hundred pounds or imprisonment for a term not exceeding three months or both, or on conviction on indictment to a fine not exceeding five hundred pounds or imprisonment for a term not exceeding two years or both.

(5) . . . . . F3

#### Textual Amendments

- F1** S. 1(1)(a) repealed by [Trustee Investments Act 1961 \(c. 62\)](#), [Sch. 5](#)
- F2** Words substituted by virtue of [Trustee Investments Act 1961 \(c. 62\)](#), [Sch. 4 para. 6](#)
- F3** S. 1(5) repealed by [Trustee Investments Act 1961 \(c. 62\)](#), [Sch. 5](#) and expressed to be 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. I 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](#)

#### Marginal Citations

- M1** 1961 c. 62.

## 2 Exchequer advances to building societies.

- (1) Any advance made to a building society under this Act shall be repayable to the Minister at such times and by such methods, and interest thereon shall be payable at such rates and at such times, as the Minister may with the approval of the Treasury direct.
- (2) Subject to subsection (3) of this section—
- (a) such advances made to any building society in respect of any financial year shall not exceed the amounts advanced in that year by the society to its members for the purchase or improvement of houses in the United Kingdom satisfying the following conditions, that is to say, that each house was completed before the year nineteen hundred and nineteen and that its estimated value does not exceed two thousand five hundred pounds, or in the Metropolitan Police District or the City of London, three thousand pounds;
  - (b) such an advance shall not be made to a building society if the amount thereof, together with the amount outstanding in respect of any such advances previously made to the society, would exceed one-fifth of the amount outstanding in respect of any funds raised by the society by other means.
- (3) The Minister may by order vary the conditions specified in paragraph (a) of subsection (2) of this section or the fraction specified in paragraph (b) of that subsection.
- (4) Advances made to building societies under this Act shall not together exceed the sum of one hundred million pounds.
- (5) The Treasury may issue to the Minister, out of the [<sup>F4</sup>National Loans Fund], such sums as are necessary to enable him to make such advances . . . <sup>F5</sup>.
- (6) Any sums received by the Minister under subsection (1) of this section shall be paid into the [<sup>F4</sup>National Loans Fund] . . . <sup>F5</sup>.

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(7) The Minister shall, as respects each financial year, prepare in such form and manner as the Treasury may direct an account of sums issued to him for advances under this Act and of sums received by him under subsection (1) of this section and of the disposal by him of those sums respectively, and send it to the Comptroller and Auditor General not later than the end of November following the year; and the Comptroller and Auditor General shall examine, certify and report on the account and lay copies of it, together with his report, before each House of Parliament.

(8) The reference in paragraph (a) of subsection (2) of this section to the estimated value of a house shall be construed, in relation to a house in England, Wales or Northern Ireland, as a reference to the estimated value of its fee simple in possession free from incumbrances and, in relation to a house in Scotland, as a reference to the estimated value of the house subject to feu duty, ground annual or other burden incident to tenure but free from other incumbrances.

**Textual Amendments**

- F4** Words substituted by [National Loans Act 1968 \(c. 13\)](#), [Sch. 1](#)
- F5** Words repealed by [National Loans Act 1968 \(c. 13\)](#), [Sch. 6 Pt. I](#) except in relation to money borrowed before 1.4.1968 or requirements as respects accounts or statements for year ending 31.3.1968 or any earlier year.

**3** ..... **F6**

**Textual Amendments**

- F6** [S. 3](#) repealed by [Statute Law \(Repeals\) Act 1981 \(c. 19\)](#), [s. 1\(1\) Sch. 1 Pt. VI](#), [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), [s. 3, Sch. 1 Pt. I](#) and [\(S.\) Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), [ss. 335, 339\(3\)](#), [Sch. 24](#)

**PART II**

**4—12.** ..... **F7**

**Textual Amendments**

- F7** [Ss. 4—12](#) repealed [Housing Act 1969 \(c. 33\)](#), [Sch. 10](#) and expressed to be repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), [s. 3, Sch. 1 Pt. I](#) and [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), [ss. 335, 339\(3\)](#), [Sch. 24](#)

**13** ..... **F8**

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**Textual Amendments**

**F8** S. 13 repealed by [Housing Act 1969 \(c. 33\)](#), [Sch. 10](#) and expressed to be 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. I of the Act extend to England and Wales) (subject to saving (E.W.) in [Housing Act 1985 \(c. 68, SIF 61\)](#), s. 432, [Sch. 15 Pt. III para. 1\(1\)\(b\)](#))

**14—** ..... **F9**  
**18.**

**Textual Amendments**

**F9** Ss. 14–18 repealed by [Housing Act 1969 \(c. 33\)](#), [Sch. 10](#) and expressed to be 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. I of the Act extend to England and Wales)

**PART III**

**19, 20.** ..... **F10**

**Textual Amendments**

**F10** Ss. 19, 20, 22–24 repealed by [Housing \(Financial Provisions\) \(Scotland\) Act 1968 \(c. 31\)](#), [Sch. 10](#) and expressed to be repealed by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), s. 339(3), [Sch. 24](#)

**21** ..... **F11**

**Textual Amendments**

**F11** S. 21 which was spent is now repealed by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), s. 339(3), [Sch. 24](#)

**22—** ..... **F12**  
**24.**

**Textual Amendments**

**F12** Ss. 19, 20, 22–24 repealed by [Housing \(Financial Provisions\) \(Scotland\) Act 1968 \(c. 31\)](#), [Sch. 10](#) and expressed to be repealed by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), s. 339(3), [Sch. 24](#)

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## PART IV

### MISCELLANEOUS AND GENERAL

25 ..... F13

#### Textual Amendments

**F13** S. 25 repealed by Statute Law (Repeals) Act 1981 (c. 19), s. 1(1), **Sch. 1 Pt. VI** and 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. I 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**

26 ..... F14

#### Textual Amendments

**F14** s. 26 repealed as respects accounts for 1972–3 and later years, by Housing Finance Act 1972 (c. 47), s. 108(4), **Sch. 11 Pt. I** and expressed to be repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, **Sch. 1 Pt. I**

27 ..... F15

#### Textual Amendments

**F15** S. 27 repealed by Rent Act 1968 (c. 23), **Sch. 17** and expressed to be repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, **Sch. 1 Pt. I**

28 **Orders and regulations.**

(1) Any order made under any provision of this Act may be varied or revoked by a subsequent order made thereunder.

(2) ..... F16

(3) Any order made under any . . . F17 provision of this Act and any regulations made under section one thereof shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

#### Textual Amendments

**F16** S. 28(2) repealed by Housing Act 1964 (c. 56), **Sch. 5**, Housing Act 1969 (c. 33), **Sch. 10** and expressed to be 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. I 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**

**F17** Word repealed by Statute Law (Repeals) Act 1981 (c. 19), s. 1(1), **Sch. 1 Pt. VI**

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**29 Interpretation.**

(1) In this Act—

“the Act of 1950” means the <sup>M2</sup>Housing (Scotland) Act 1950;

“the Act of 1958” means the <sup>M3</sup>Housing (Financial Provisions) Act 1958;

..... <sup>F18</sup>

..... <sup>F19</sup>

“the Minister” means the [<sup>F20</sup>Secretary of State] or, as respects Scotland, the Secretary of State;

“permanent building society” means a society incorporated under the [<sup>F21M4</sup>Building Societies Act 1962], which is a permanent society within the meaning of [<sup>F21</sup>that Act];

..... <sup>F22</sup>

..... <sup>F23</sup>

(2) ..... <sup>F24</sup>

(4) Any reference in this Act to any other enactment is a reference thereto as amended by any subsequent enactment including, except where the context otherwise requires, this Act.

**Textual Amendments**

- F18** Definition of “controlled tenancy” repealed by Rent Act 1977 (c. 42), **Sch. 25** and expressed to be repealed by Statute Law (Repeals) Act 1981 (c. 19), s. 1(1), **Sch. 1 Pt. VI**
- F19** Definition of “improvement grant” (a) repealed by Housing (Financial Provisions) (Scotland) Act 1968 (c. 31), **Sch. 10** and Housing Act 1969 (c. 33), **Sch. 10** (b) residue spent and also expressed to be repealed, including unrepealed residue which was spent, by Statute Law (Repeals) Act 1981 (c. 19), s. 1(1), **Sch. 1 Pt. VI**
- F20** Words substituted by virtue of S.I. 1970/1681, **arts. 2(1), 6(3)**
- F21** Words substituted by virtue of Interpretation Act 1978 (c. 30), **s. 17(2)(a)**
- F22** Definitions of “standard amenities” and “standard grant” (a) repealed by Housing Act 1969 (c. 33), **Sch. 10** (b) residue spent
- F23** Definition of “the valuation officer” repealed by Statute Law (Repeals) Act 1981 (c. 19), s. 1(1), **Sch. 1 Pt. VI**
- F24** Ss. 29(2)(3), 30, 31(3), 32(3) repealed by Statute Law (Repeals) Act 1981 (c. 19), s. 1(1), **Sch. 1 Pt. VI**

**Marginal Citations**

- M2** 1950 c. 34.
- M3** 1958 c. 42.
- M4** 1962 c. 37.

**30** ..... <sup>F25</sup>

**Textual Amendments**

- F25** Ss. 29(2)(3), 30, 31(3), 32(3) repealed by Statute Law (Repeals) Act 1981 (c. 19), s. 1(1), **Sch. 1 Pt. VI**

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### 31 Amendments, repeal and saving.

- (1) The Act of 1958 shall have effect subject to the amendments specified in Part I of the First Schedule to this Act, being amendments consequential on the provisions of Part II of this Act or for applying to those provisions certain provisions of the Act of 1958 . . . <sup>F26</sup>
- (2) . . . . . <sup>F27</sup>
- (3) . . . . . <sup>F28</sup>

#### Textual Amendments

- F26** Words repealed by [Housing \(Financial Provisions\) \(Scotland\) Act 1968 \(c. 31\)](#), **Sch. 10**
- F27** [S. 31\(2\)](#), [Sch. 2](#) 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. I 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**
- F28** [Ss. 29\(2\)\(3\)](#), [30](#), [31\(3\)](#), [32\(3\)](#) repealed by [Statute Law \(Repeals\) Act 1981 \(c. 19\)](#), s. 1(1), **Sch. 1 Pt. VI**

### 32 Short title, citation, construction, commencement and extent.

- (1) This Act may be cited as the House Purchase and Housing Act 1959; and—
  - (a) this Act, except so far as it extends to Scotland only, and the Act of 1958 may be cited together as the Housing (Financial Provisions) Acts 1958 and 1959; and
  - (b) this Act, so far as it extends to Scotland, and the Housing (Scotland) Acts 1950 to 1957, may be cited together as the Housing (Scotland) Acts 1950 to 1959.
- (2) Part III of this Act shall be construed as one with the Act of 1950.
- (3) . . . . . <sup>F29</sup>
- (4) Part III of this Act . . . <sup>F30</sup> extend to Scotland only, and the following provisions of this Act do not extend to Scotland, that is to say, . . . <sup>F31</sup> Part I of the First Schedule.

#### Textual Amendments

- F29** [Ss. 29\(2\)\(3\)](#), [30](#), [31\(3\)](#), [32\(3\)](#) repealed by [Statute Law \(Repeals\) Act 1981 \(c. 19\)](#), s. 1(1), **Sch. 1 Pt. VI**
- F30** Words repealed by [Housing \(Financial Provisions\) \(Scotland\) Act 1968 \(c. 31\)](#), **Sch. 10**
- F31** Words repealed by [Statute Law \(Repeals\) Act 1981 \(c. 19\)](#), s. 1(1), **Sch. 1 Pt. VI**

**Changes to legislation:**

There are currently no known outstanding effects for the House Purchase and Housing Act 1959.