



House Purchase and Housing Act 1959

1959 CHAPTER 33

PART IV

MISCELLANEOUS AND GENERAL

25 Abolition of contributions to development corporations

Section eleven of the Act of 1958 (which empowers the Minister to make the like contribution to a development corporation as he has power to make to a local authority under section nine of that Act) and section one hundred and ten of the Act of 1950 (which makes similar provision as respects Scotland) shall cease to have effect.

26 Omission of certain dwellings from Housing Revenue Account

In subsection (1) of section fifty of the Act of 1958 (which requires a local authority to keep a Housing Revenue Account in respect of certain property described in paragraphs (a) to (f) of that subsection) paragraph (c) (dwellings provided or improved by a local authority in accordance with improvement proposals approved by the Minister under section nine of that Act) shall be omitted, and at the end of paragraph (b) of sub-paragraph (1) of paragraph 1 of the Fifth Schedule to that Act (which requires a local authority to carry to the credit of the account amounts including, among other things, contributions paid to them under the said section nine) there shall be added the words " in respect of houses and other property within the account ".

27 Effect of standard grant on adjustment of rent limit

Section five of the Rent Act, 1957 (which provides for an increase of the rent limit under a controlled tenancy where money has been spent by the landlord on the improvement of the dwelling) shall have effect as if references to a standard grant (within the meaning of Part II of this Act) were included in the references to an improvement grant in the proviso to subsection (3) of that section (which limits the right of the tenant to apply for the cancellation or reduction of the increase on the ground that the improvement was unnecessary) and in subsection (4) of that section

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(which prevents the amount of the grant from being taken into account as an amount spent by the landlord).

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) An order made under subsection (6) of section fourteen, subsection (5) of section fifteen or subsection (4) of section eighteen of this Act shall be made by statutory instrument and—
 - (a) shall not be made unless a draft thereof has been approved by a resolution of the Commons House of Parliament;
 - (b) shall not specify a date earlier than the date of the laying of the draft;
 and before laying such a draft the Minister shall consult with such associations of local authorities as appear to him to be concerned and with any local authority with whom consultation appears to him to be desirable.
- (3) Any order made under any other 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.

29 Interpretation

- (1) In this Act—
 - " the Act of 1950 " means the Housing (Scotland) Act, 1950;
 - " the Act of 1958 " means the Housing (Financial Provisions) Act, 1958;
 - " controlled tenancy " has the same meaning as in the Rent Act, 1957;
 - " improvement grant " means a grant under section thirty of the Act of 1958 or under section one hundred and eleven of the Act of 1950 ;
 - " the Minister " means the Minister of Housing and Local Government or, as respects Scotland, the Secretary of State;
 - " permanent building society " means a society incorporated under the Building Societies Acts, 1874 to 1940, which is a permanent society within the meaning of those Acts;
 - " standard amenities " and " standard grant " have, in Part II of this Act, the meanings assigned to them by section four of this Act and, in Part III of this Act, the meanings assigned to them by section nineteen thereof;
 - " the valuation officer ", in relation to a valuation list, means any officer of the Commissioners of Inland Revenue who is for the time being appointed by the Commissioners to be the valuation officer or one of the valuation officers, or to be the deputy valuation officer or one of the deputy valuation officers, in relation to that list.
- (2) Section four of the Housing Act, 1957, and, in Scotland, subsection (2) of section one hundred and eighty-four of the Act of 1950, shall apply to the determination for the purposes of this Act of any question whether any dwelling will be unfit for human habitation as they apply to the determination of such questions for the purposes of those Acts respectively.
- (3) For the purposes of this Act, the annual loan charges referable to any amount shall be the annual sum that, in the opinion of the Minister, would fall to be provided by a local

authority for the payment of interest on, and the repayment of, a loan of that amount repayable over a period of twenty years.

- (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.

30 Payment out of moneys provided by Parliament and payment into Exchequer

- (1) There shall be defrayed out of moneys provided by Parliament—
- (a) any contributions made to local authorities under this Act;
 - (b) any increase attributable to this Act in the sums payable out of moneys provided by Parliament under the Act of 1958 or the Act of 1950;
 - (c) any increase attributable to this Act in the sums payable by way of Rate-deficiency Grant or Exchequer Equalisation Grant under the enactments relating to local government in England and Wales or in Scotland ; and
 - (d) any administrative expenses incurred by the Minister under this Act.
- (2) Any sums received by the Minister by virtue of Part II or Part III of this Act shall be paid into the Exchequer.

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 ; and the Act of 1950 shall have effect subject to the amendments specified in Part II of the First Schedule to this Act, being amendments consequential on the provisions of Part III of this Act.
- (2) The enactments specified in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.
- (3) This Act shall not affect the payment or amount of any grant or contribution payable in pursuance of any proposals or application approved, or arrangements made, before the commencement of this Act.

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) This Act shall come into force on the expiration of a period of one month beginning with the day on which it is passed.

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- (4) Part III of this Act and Part II of the First Schedule thereto extend to Scotland only, and the following provisions of this Act do not extend to Scotland, that is to say, Part II, sections twenty-six and twenty-seven, and Part I of the First Schedule.