
 S T A T U T O R Y I N S T R U M E N T S

1982 No. 1154 (S. 141)

HOUSING, SCOTLAND

The Housing (Disapplication of Financial Hardship Provision for Repairs Grant) (Scotland) Order 1982

<i>Made - - - -</i>	<i>6th August 1982</i>
<i>Laid before Parliament</i>	<i>20th August 1982</i>
<i>Coming into Operation</i>	<i>10th September 1982</i>

In exercise of the powers conferred on me by sections 10A(3) and 49(3) of the Housing (Scotland) Act 1974(a) and of all other powers enabling me in that behalf, I hereby make the following order:—

Citation and commencement

1. This order may be cited as the Housing (Disapplication of Financial Hardship Provision for Repairs Grant) (Scotland) Order 1982 and shall come into operation on 10th September 1982.

Disapplication of provisions of section 10A(3) of the Housing (Scotland) Act 1974

2. Article 3 of this order applies to applications for repairs grants (under section 10A of the said Act of 1974) approved by local authorities on or after 10th September 1982.

3. The provisions of section 10A(3) of the said Act of 1974 shall not apply to applications where the relevant works are in respect of:—

- (i) works exclusively to replace in a different material such pipes, tanks, cisterns, taps or other equipment used for a supply of water to a house as are wholly or partly made of lead; and
- (ii) works which in the opinion of the local authority are of a substantial and structural character.

New St Andrew's House,
Edinburgh.
6th August 1982.

George Younger,
One of Her Majesty's Principal
Secretaries of State.

(a) 1974 c. 45; section 10A(3) and the proviso thereto were inserted by the Housing (Financial Provisions) (Scotland) Act 1978 (c. 14), section 8, and the Local Government and Planning (Scotland) Act 1982 (c. 43), section 66(1) and Schedule 3, paragraph 31(a); the definition of "prescribed" in section 49(3) was amended by the said Act of 1978, section 16(1) and Schedule 2, paragraph 28(b), by the Tenants' Rights, Etc. (Scotland) Act 1980 (c. 52), section 73, and by the said Act of 1982, section 66(1) and Schedule 3, paragraph 33(b).

EXPLANATORY NOTE

(This Note is not part of the Order.)

Section 10A(3) of the Housing (Scotland) Act 1974 requires that local authorities shall, in all cases where they consider whether or not to approve an application for repairs grant, have regard to whether the applicant for grant, where he is the owner, would be able to finance the work at his own expense without undue hardship.

Under the proviso to section 10A(3), inserted by paragraph 31(a) of Schedule 3 to the Local Government and Planning (Scotland) Act 1982 the Secretary of State may prescribe cases to which the provisions of section 10A(3) shall not apply. Article 3 of this Order prescribes two classes of cases which will be exempt from the financial hardship provisions of section 10A(3).

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