
STATUTORY INSTRUMENTS

1988 No. 978 (S.95)

HOUSING, SCOTLAND

The Housing Defects (Reinstatement Grant) (Amendment of Conditions for Assistance) (Scotland) Order 1988

Made - - - - 26th May 1988
Coming into force - - 31st May 1988

The Secretary of State, in exercise of the powers conferred on him by section 266(2) of the Housing (Scotland) Act 1987((1)) and of all other powers enabling him in that behalf, hereby makes the following Order, a draft of which has been laid before, and approved by a resolution of, each House of Parliament:

Citation and commencement

1. This Order may be cited as the Housing Defects (Reinstatement Grant) (Amendment of Conditions for Assistance) (Scotland) Order 1988 and shall come into force on 31st May 1988.

Amendment of conditions

2. The conditions for assistance by way of reinstatement grant, set out in section 266(1) of the Housing (Scotland) Act 1987, are amended by the omission of paragraph (d).

St Andrew's House,
Edinburgh
26th May 1988

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

Under Part XIV of the Housing (Scotland) Act 1987 (“the Act”) the owner of a defective dwelling (one in a class designated by the Secretary of State or the local authority) can, if the appropriate conditions are satisfied, require the local authority either to give him a grant towards the reinstatement of the dwelling or to repurchase it. The conditions for determining whether assistance takes the form of reinstatement grant or, alternatively, repurchase at 95% of defect-free value, are set out in sections 265 and 266 of the Act. One of those conditions (section 266(1)(d)) provides that, if the amount of any such grant is likely to exceed the total amount payable on the repurchase (including incidental expenses), the form of assistance must be by way or repurchase.

This Order provides for that particular condition to be omitted. Under section 266(4) of the Act, the Order does not affect an application for assistance made before the date on which it comes into force.