

SCHEDULE 1

TRANSITIONAL PROVISIONS AND SAVINGS

Savings relating to Part IV of the 1989 Act

1. The following repeals and amendments have no effect in relation to any body which is not mentioned in section 39(1)(a) to (j) of the 1989 Act and has not been prescribed by regulations under section 39(3) of that Act—

- (a) the repeals specified in Part I of Schedule 12 to the 1989 Act which are in section 6 of the Public Works Loans Act 1964(1), sections 123, 153 and 172 of and Schedule 13 to the Local Government Act 1972(2), Schedule 7 to the Local Government Act 1974(3), section 28 of the Local Government (Miscellaneous Provisions) Act 1976(4) and section 5 of the Local Government Finance Act 1982(5);
- (b) the repeal specified in Part II of Schedule 12 to the 1989 Act which is in section 101 of the Local Government Act 1972; and
- (c) the amendments in paragraphs 6 and 7 of Schedule 11 to the 1989 Act to section 2 of the Public Works Loans Act 1965(6) and to section 2 of the Public Works Loans Act 1967(7).

Land Compensation Act 1961

2. The repeal of section 10 of, and Schedule 2 to, the Land Compensation Act 1961(8) does not have effect in relation to any order made under paragraph 2 of that Schedule before 1st April 1990.

Local Government Act 1972

3. The repeal of paragraph 4(1) of Schedule 13 to the Local Government Act 1972 does not affect the continued operation of regulation 23(2) of the Local Authority (Stocks and Bonds) Regulations 1974(9).

Land Compensation Act 1973

4. The repeals in section 29(1), 37(1) and 39(1) of the Land Compensation Act 1973(10) do not have effect in relation to an improvement notice served before 1st April 1990.

5. The repeals in section 29(7) of that Act do not have effect in relation to an undertaking accepted under section 211 or 264 of the 1985 Act before 1st April 1990.

6. The repeal in section 37(2) of that Act does not have effect in relation to a case within subsection (1)(a) of that section where the land was acquired before 1st April 1990 or is acquired after that date in pursuance of a compulsory purchase order made under section 192, 290 or 300 of the 1985 Act before that date.

(1) 1964 c. 9.
(2) 1972 c. 70.
(3) 1974 c. 7.
(4) 1976 c. 57.
(5) 1982 c. 32.
(6) 1965 c. 63.
(7) 1967 c. 61.
(8) 1961 c. 33.
(9) S.I. 1974/519.
(10) 1973 c. 26.

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7. The Amendment to section 37(2) of the Land Compensation Act 1973 does not have effect in relation to a housing order or undertaking, within the meaning of that section, made or accepted before 1st April 1990.

8. The repeal of section 73(4) and (5) of that Act does not have effect in relation to the acquisition of an interest in land in pursuance of a blight notice served by virtue of subsection (1)(a) of that section before 1st April 1990.

Housing Act 1985

9. The amendments to sections 189 to 191, 193, 207 and 208 of the 1985 Act, the repeal of sections 192, 205 and 206 and the repeals in section 197(1)(c) and 208 of that Act do not have effect in relation to any repair notice served before 1st April 1990.

10. The repeal of section 192 of that Act and the repeals in section 208, 582(1), 599 and 608 do not have effect in relation to any order made under section 192 before 1st April 1990.

11.—(1) Subject to sub-paragraph (2), the repeal of section 211 of that Act does not have effect in relation to an undertaking accepted under that section before 1st April 1990.

(2) Where, after that date, the case falls within section 211(4)(a) or (b), the undertaking shall cease to have effect; and where the premises are, in the opinion of the local housing authority, unfit for human habitation, within the meaning of section 604 of that Act, the authority shall forthwith satisfy themselves, in accordance with section 604A, as to the most satisfactory course of action to take in respect of the premises and shall take action accordingly under one of the provisions mentioned in subsection (1) of that section.

12. The repeal of sections 209 to 238 of that Act does not have effect in relation to an improvement notice served under section 214 or 215 before 1st April 1990.

13. If, after—

- (a) a local housing authority have entered into a contract for the acquisition of land under section 255(1) of that Act, or
- (b) a compulsory purchase order authorising the acquisition of land under that subsection has been confirmed,

a general improvement area ceases to be such an area by virtue of section 98(2) of the 1989 Act, the provisions of section 255 shall continue to apply as if the land continued to be in a general improvement area.

14.—(1) Subject to sub-paragraph (2), the amendment of section 264 of the 1985 Act does not have effect in relation to an undertaking accepted under that section before 1st April 1990.

(2) Where, after that date, any work to which the undertaking relates is not carried out within the specified period or the premises are at any time used in contravention of the terms of the undertaking, the undertaking shall cease to have effect; and where the premises are, in the opinion of the local housing authority, unfit for human habitation, within the meaning of section 604 of that Act, the authority shall forthwith satisfy themselves, in accordance with section 604A, as to the most satisfactory course of action to take in respect of the premises and shall take action accordingly under one of the provisions mentioned in subsection (1) of that section.

15. The amendments to sections 264, 265, 268 to 270, 273 to 275, 278, 279, 304, 310, 315, 318, 322 and 323 of that Act, the repeal of sections 266, 280 to 282 and 321 and the repeals in sections 269, 279 and 323 of that Act, and the amendment inserting sections 584A and 584B in that Act do not have effect in relation to a closing order or demolition order made under section 265 before 1st April 1990.

16. The amendments to sections 289, 301 and 302 of that Act do not have effect in relation to a clearance area declared under section 289 before 1st April 1990.

17. The amendments to section 294 of that Act do not have effect in relation to any order made under that section before 1st April 1990.

18. The repeal of section 299 of, and Schedule 11 to, that Act and the repeal in section 291 of that Act do not have effect in relation to any rehabilitation order made before 1st April 1990.

19. The amendments to section 300 of that Act do not have effect in relation to a notice served under subsection (2) of that section before 1st April 1990.

20. The amendments to section 305 and the repeal of sections 579 to 581 of that Act do not have effect in relation to a compulsory purchase order made under section 290 before 1st April 1990.

21. The amendments to sections 352, 353, 354, 375 and 376 of that Act do not have effect in relation to a notice served under section 352 before 1st April 1990.

22. The amendment of section 365 and the repeal of sections 366 and 367 of that Act do not have effect in relation to a notice served under section 366 before 1st April 1990.

23. The amendments to section 368(5) of that Act do not have effect in relation to a closing order made under section 368(4) before 1st April 1990 and the reference in section 368(5) to the provisions of Part IX shall be construed as a reference to those provisions as they applied before 1st April 1990.

24. The amendments to sections 372, 373, 375 and 376 of that Act do not have effect in relation to a notice served under section 372 before 1st April 1990.

25.—(1) Subject to sub-paragraph (2) below, the amendments to, and repeals in, Schedule 10 to that Act do not have effect in relation to any notice served under sections 189, 190, 214, 215, 352, 366 or 372 of that Act before 1st April 1990.

(2) The amendment in paragraph 70(4) of Schedule 9 to the 1989 Act shall have effect in relation to a demand served under paragraph 3 of Schedule 10 to the 1985 Act after 1st April 1990 in connection with any notice mentioned in sub-paragraph (1) above.

26. Section 486(1)(b) of the 1985 Act is modified, except in respect of a notice served under section 366 before 1st April 1990, by the substitution for the reference to a notice under section 366 (works required for the provision of means of escape from fire) of a reference to a notice under section 352 (power to require execution of works to render premises fit for number of occupants) which relates to the requirement in paragraph (d) of subsection (1A) of that section.

27. The repeal of sections 521 and 522(1) and (3) to (5) of that Act does not have effect in relation to any application under section 521 in respect of which the applicant has been notified before 1st April 1990 that he may proceed to execute works in accordance with a scheme under that section.

28. The repeal of sections 585 to 595 and 598 of, and Schedules 23 and 24 to, that Act, the amendment of section 603 of that Act, and the amendment inserting sections 584A and 584B in that Act, do not have effect in relation to—

- (a) a house or land purchased as mentioned in subsection (1) of section 585 before 1st April 1990 or the subject of a compulsory purchase order made before that date under any of the provisions mentioned in that subsection; or
- (b) a house vacated in pursuance of a demolition or closing order made under section 265 before 1st April 1990 or vacated and demolished in pursuance of an undertaking for its demolition given before that date.

29. Any notice served under section 210, 212 or 264 of that Act before 1st April 1990 shall cease to have effect except in relation to anything done in connection with such a notice before that date.

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30. Except in relation to paragraphs 11(2) and 14(2) of this Schedule, section 604 of that Act shall apply in relation to any of the foregoing transitional provisions as it applied before 1st April 1990.