STATUTORY INSTRUMENTS

1989 No. 47 (S.2)

ACQUISITION OF LAND COMPENSATION

The Home Loss Payment (Specification of Amount) (Scotland) Regulations 1989

Made - - - -		*12th January 1989*
Laid before Parliament		*17th January 1989*
Coming into force - -		*1st April 1989*

The Secretary of State, in exercise of the powers conferred by sections 5(3A) and (3B) and 31 of the Abolition of Domestic Rates Etc. (Scotland) Act 1987((**1**)) and of all other enabling powers, hereby makes the following Regulations:

1. These Regulations may be cited as the Home Loss Payment (Specification of Amount) (Scotland) Regulations 1989 and shall come into force on 1st April 1989.

2. For section 28 of the Land Compensation (Scotland) Act 1973((**2**)) there shall be substituted the following:—

"**28.** The amount of a home loss payment shall be £1,500." .

3. Section 30(4) of the Land Compensation (Scotland) Act 1973 is hereby repealed.

4. The Home Loss Payments (Scotland) Order 1978((**3**)) and the Home Loss Payments (Scotland) Order 1985((**4**)) are hereby revoked.

St Andrew's House,	*James Douglas-Hamilton*
Edinburgh	Parliamentary Under Secretary of State, Scottish
12th January 1989	Office

(**1**) 1987 c. 47; subsections (3A) and (3B) of section 5 were added by the Local Government Finance Act 1988 (c. 41), Schedule 12, paragraph 17(3).

(**2**) 1973 c. 56

(**3**) S.I.1978/323

(**4**) S.I. 1985/292

EXPLANATORY NOTE

(This note is not part of the Regulations)

In consequence of the abolition of domestic rates as from 1st April 1989 it will no longer be possible to calculate home loss payment for the purpose of the Land Compensation (Scotland) Act 1973 by reference to rateable value.

These Regulations amend section 28 of the Act by substituting, in place of provisions for calculating the amount of home loss payment by reference to rateable value and other factors which may be prescribed by order, a flat rate payment of £1,500. They also make a necessary consequential amendment to the Act and revoke the 2 outstanding orders made under section 28.