



# Housing Act 1961

## 1961 CHAPTER 65

### PART I

#### FINANCIAL ASSISTANCE FOR HOUSING ACCOMMODATION PROVIDED BY LOCAL AUTHORITIES AND OTHER PUBLIC BODIES

##### *Miscellaneous*

#### **8 Reduction or withholding of subsidies in respect of housing provided in pursuance of special arrangements with Minister**

- (1) If the Minister is satisfied that a housing association have made default in giving effect to the terms of special arrangements made with the Minister for the provision of dwellings he may reduce the amount of any exchequer subsidy in respect of the dwellings or suspend or discontinue the payment thereof as he thinks just.
- (2) Where any dwelling provided by a housing association under special arrangements made with the Minister becomes vested in a local authority—
  - (a) no further exchequer subsidy shall, after the time of the vesting, become payable by the Minister in respect of the dwelling, and
  - (b) the Minister may, if he thinks fit, pay out of money provided by Parliament to the local authority a sum equivalent to any exchequer subsidy which would, after the said time, have become payable to the housing association in respect of the dwelling if all conditions precedent to the payment of the subsidy had been at all material times observed,

and any payment which the Minister is authorised to make under paragraph (b) of this subsection shall be included in the expression " exchequer payment" as defined in subsection (2) of section fifty-eight of the Housing (Financial Provisions) Act, 1958.

- (3) No exchequer subsidy shall be paid to a housing association in respect of a dwelling provided in pursuance of special arrangements made with the Minister if, before the payment is made, the Minister is satisfied that, during the whole or the greater part of the period to which the payment is referable, the dwelling in respect of which the payment would be made has not been available as a dwelling fit for habitation

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(according to the standards of fitness for habitation imposed by section four of the Housing Act, 1957):

Provided that this subsection shall not apply if the Minister is satisfied that the dwelling could not with reasonable diligence have been made available, during the whole or the greater part of the period to which the exchequer subsidy is referable, as a dwelling fit for habitation.

Any question under this subsection as to the period to which an exchequer subsidy is referable shall be determined by the Minister.

## 9 Grants for hostels

(1) Section fifteen of the Housing (Financial Provisions) Act, 1958 (under which grants may be made by the Minister to a local authority, development corporation or housing association providing a hostel), shall apply to any building provided or converted after the commencement of this Act for use as part of a hostel as it applies to a building provided or converted for use as a hostel, and at the end of subsection (4) of the said section fifteen (which defines the expression " hostel ") for the words " and board " there shall be substituted the words " and either board or facilities for the preparation of food adequate to the needs of those persons, or both ".

(2) Subsection (1) of the said section fifteen shall apply to a building provided or converted by a housing association for use as a hostel under arrangements which the Minister may have made with them with a view to the approval of the hostel for the purposes of that subsection, as it applies to a building so provided or converted by a local authority:

Provided that if the Minister is satisfied that the housing association have made default in giving effect to the terms of the arrangements, he may reduce the amount of the contributions payable to the housing association under the said subsection (1), or suspend or discontinue the payment thereof, as he thinks just.

(3) Where a building which has been provided or converted by a housing association for use as a hostel becomes vested in a local authority, and at the time of the vesting the building is one in respect of which a contribution is payable under the said subsection (1)—

- (a) no further contributions shall, after the time of the vesting, become payable under that subsection, but
- (b) the Minister may, if he thinks fit, pay out of money provided by Parliament to the local authority sums not exceeding any sums which would after that time have become payable by him under that subsection in respect of the building if all conditions precedent to the payment of the sums had been fulfilled.

(4) In section twenty-two and subsection (3) of section fifty of the Housing (Financial Provisions) Act, 1958, and in this section, the expression " hostel " has the same meaning as in section fifteen of that Act, and references to a hostel include references to part of a hostel.

## 10 Payments for town development

(1) As respects any approved dwelling as defined by this Part of this Act, paragraph (a) of subsection (2) of section two of the Town Development Act, 1952, as amended by paragraph 14 of the First Schedule to the Housing Subsidies Act, 1956 (under

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which the Minister may contribute to the expenses of providing houses in the course of town development, subject to a limit of eight pounds per house), shall apply with the substitution for the reference to eight pounds of a reference to twelve pounds.

- (2) As respects any approved dwelling as defined by this Part of this Act, subsection (4) of section four of the New Towns Act, 1959 (under which the Minister may make additional contributions to the Commission for the New Towns, subject to a limit of eight pounds per house), shall apply with the substitution for the reference to eight pounds of a reference to twelve pounds.
- (3) As respects any approved dwelling as defined by this Part of this Act, subsection (2) of section nine of the Housing Subsidies Act, 1956 (under which the Minister may recover part of certain payments or contributions in the ten years following the completion of a dwelling, subject to a limit of four pounds in any year), shall apply with the substitution for the reference to ten years of a reference to fifteen years, and with the substitution for the reference to four pounds of a reference to six pounds.
- (4) Any contribution made to a local authority under paragraph (a) of subsection (2) of section two of the Town Development Act, 1952, shall be included in the definition of "exchequer payment" in subsection (2) of section fifty-eight of the Housing (Financial Provisions) Act, 1958:  
  
Provided that any amount carried to the credit of the Housing Revenue Account of a local authority in respect of such a contribution shall be left out of account for the purposes of subsection (2) of section four of this Act.
- (5) "References in this section to an approved dwelling as defined by this Part of this Act include references to a dwelling in respect of which exchequer subsidies are payable under section one of this Act by virtue of subsection (4) of that section.

## **11 Interpretation of Part I and consequential and other amendments**

- (1) In this Part of this Act—  
  - " authorised arrangements " has the meaning assigned to that expression by subsection (2) of section twenty-nine of the Housing (Financial Provisions) Act, 1958 ;
  - " special arrangements made with the Minister " means, in relation to exchequer subsidies under this Part of this Act payable to a housing association, arrangements which the Minister may have made with the housing association for the provision of dwellings with a view to the approval of the dwellings by the Minister under section one of this Act,

and subsection (1) of section twenty-nine and subsection (1) of section fifty-eight of the said Act of 1958 shall apply for the interpretation of this Part of this Act.
- (2) The enactments mentioned in the Second Schedule to this Act (which relate to the giving of financial assistance for the provision of housing accommodation) shall have effect subject to the amendments there specified, being, in the case of those in Part I of the Schedule, amendments which apply those enactments in relation to exchequer subsidies under this Part of this Act and, in the case of those in Part II, amendments relating to other matters.