

ELIZABETH II



Housing (Amendment) Act 1973

1973 CHAPTER 5

An Act to extend the operation of the Housing Act 1971 and to make further provision as to the imposition of conditions on the sale of houses by local authorities under the Housing Act 1957. [6th March 1973]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) The Housing Act 1971 (under section 1 of which increased financial assistance for housing improvement in development areas and intermediate areas for which sections 2 and 3 provide is available only in respect of works completed before the expiration of a period of two years beginning with 23rd June 1971) shall have effect in relation to any local government area as defined in subsection (4) of the said section 1 for a further period of one year; and the word "three" shall accordingly be substituted for the word "two" in paragraph (b) of subsection (1) and in both places where it occurs in subsection (2) of that section.

Extension of powers to give financial assistance for housing in certain areas.
1971 c. 76.

(2) For the paragraph which follows the Table in section 2(1) of the said Act of 1971 (increased financial assistance in England and Wales) there shall be substituted the following paragraphs:—

"The substitution by this Table in section 16(2) of the Housing Act 1969 for three quarters of 90 per cent. shall not apply where the local authority grant is an improvement grant which—

(a) if the application for it was approved before 4th August 1972, is less than three quarters of the approved expense;

(b) if the application was approved on or after that date, is less than whichever of the following amounts is the smaller, namely—

- (i) three quarters of the approved expense ;
- (ii) the maximum permissible amount of grant.

For the purposes of the application to any case of the foregoing paragraph the maximum permissible amount of grant is the maximum amount payable in that case by virtue of subsections (2) and (3) of section 5 of the Housing Act 1969.”

(3) For the paragraph which follows the Table in section 3(1) of the said Act of 1971 (increased financial assistance in Scotland) there shall be substituted the following paragraphs:—

“The substitutions by this Table in section 35 of the Housing (Financial Provisions) (Scotland) Act 1968 shall not apply where the local authority grant is an improvement grant which—

- (a) if the application for it was approved before 4th August 1972, is less than three quarters of the approved expense ;
- (b) if the application was approved on or after that date, is less than whichever of the following amounts is the smaller, namely—
 - (i) three quarters of the approved expense ;
 - (ii) the maximum permissible amount of grant.

For the purposes of the application to any case of the foregoing paragraph the maximum permissible amount of grant is the maximum amount payable in that case by virtue of section 29(1) of the Housing (Financial Provisions) (Scotland) Act 1968.”

1969 c. 33.
1968 c. 31.

1971 c. 76.

(4) Where a single grant or contribution under the Housing Act 1969 or the Housing (Financial Provisions) (Scotland) Act 1968 is payable in respect of a number of dwellings, and the works required for the provision or improvement of one or more of those dwellings have been completed before the expiration of the period of three years mentioned in section 1 of the Housing Act 1971 (as amended by subsection (1) above) but the remaining works have not been so completed, section 2 or, as the case may be, section 3 of the said Act of 1971 shall have effect in relation to such portion of the grant or contribution as is attributable, in the opinion of the local authority or, as the case may be, the Secretary of State, to the completed works.

(5) Any expenses of the Secretary of State which are attributable to the provisions of this section shall be defrayed out of money provided by Parliament.

(6) There shall be paid into the Consolidated Fund any sums which, in consequence of the provisions of this section, are to be so paid under any other Act.

2. Section 104 of the Housing Act 1957 (which empowers local authorities to dispose of houses provided under Part V of that Act) shall have effect, in relation to a disposition by way of sale where the consent of the Secretary of State to the sale was given on or after 16th August 1972—

(a) with the substitution in paragraph (a) of subsection (3) (which provides for the imposition of conditions on sales of such houses) of the words “relevant period” for the words from “period” to “sale”;

(b) with the addition after subsection (3) of the following subsection:—

“(3A) In subsection (3) above “relevant period” means—

(a) if no greater period is authorised or required by the Secretary of State, any period not exceeding five years from the completion of the sale;

(b) if a greater period is authorised or required by him, that period.”

3.—(1) This Act may be cited as the Housing (Amendment) Act 1973.

(2) The Housing Acts 1957 to 1972 and this Act may be cited together as the Housing Acts 1957 to 1973.

(3) The Housing (Scotland) Acts 1966 to 1972 and this Act (except section 2 above) may be cited together as the Housing (Scotland) Acts 1966 to 1973.

(4) This Act does not extend to Northern Ireland.

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