

Status: Point in time view as at 06/04/2006.

Changes to legislation: Housing Act 2004, Cross Heading: Land Compensation Act 1973 (c. 26) is up to date with all changes known to be in force on or before 04 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 15

MINOR AND CONSEQUENTIAL AMENDMENTS

Land Compensation Act 1973 (c. 26)

2 The Land Compensation Act 1973 has effect subject to the following amendments.

Commencement Information

II Sch. 15 para. 2 wholly in force at 16.6.2006; Sch. 15 para. 2 not in force at Royal Assent see s. 270(4)(5); Sch. 15 para. 2 in force for E. at 6.4.2006 by S.I. 2006/1060, art. 2(1)(d) (with Sch.); Sch. 15 para. 2 in force for W. at 16.6.2006 by S.I. 2006/1535, art. 2(b) (with Sch.)

3 (1) Section 29 (right to home loss payment where person displaced from dwelling) is amended as follows.

(2) In subsection (1)—

(a) for paragraph (b) substitute—

“(b) the making of a housing order in respect of the dwelling;”;
and

(b) in paragraph (ii) for the words from “the order” onwards substitute “ the housing order;”.

(3) In subsection (3A) for the words from “the acceptance” onwards substitute “ the carrying out of any improvement to the dwelling unless he is permanently displaced from it in consequence of the carrying out of that improvement. ”

(4) For subsection (7) substitute—

“(7) In this section “a housing order” means—

(a) a prohibition order under section 20 or 21 of the Housing Act 2004,
or

(b) a demolition order under section 265 of the Housing Act 1985.”

Commencement Information

I2 Sch. 15 para. 3 wholly in force at 16.6.2006; Sch. 15 para. 3 not in force at Royal Assent see s. 270(4)(5); Sch. 15 para. 3 in force for E. at 6.4.2006 by S.I. 2006/1060, art. 2(1)(d) (with Sch.); Sch. 15 para. 3 in force for W. at 16.6.2006 by S.I. 2006/1535, art. 2(b) (with Sch.)

4 (1) Section 33D (loss payments: exclusions) is amended as follows.

(2) In subsection (4) for paragraphs (b) and (c) substitute—

“(b) notice under section 11 of the Housing Act 2004 (improvement notice relating to category 1 hazard);

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- (c) notice under section 12 of that Act (improvement notice relating to category 2 hazard);”.

- (3) For subsection (5) substitute—

“(5) These are the orders—

- (a) an order under section 20 of the Housing Act 2004 (prohibition order relating to category 1 hazard);
- (b) an order under section 21 of that Act (prohibition order relating to category 2 hazard);
- (c) an order under section 43 of that Act (emergency prohibition orders);
- (d) an order under section 265 of the Housing Act 1985 (demolition order relating to category 1 or 2 hazard).”

Commencement Information

I3 Sch. 15 para. 4 wholly in force at 16.6.2006; Sch. 15 para. 4 not in force at Royal Assent see s. 270(4) (5); Sch. 15 para. 4 in force for E. at 6.4.2006 by S.I. 2006/1060, art. 2(1)(d) (with Sch.); Sch. 15 para. 4 in force for W. at 16.6.2006 by S.I. 2006/1535, art. 2(b) (with Sch.)

- 5 (1) Section 37 (disturbance payments for persons with compensatable interests) is amended as follows.

- (2) In subsection (1)—

- (a) for paragraph (b) substitute—

“(b) the making of a housing order in respect of a house or building on the land;”;

- (b) in paragraph (ii) for the words from “the order” onwards substitute “ the housing order;”.

- (3) In subsection (2)(c) for “closing” substitute “ prohibition ”.

- (4) In subsection (3) for the words from “any such order” onwards substitute “ a housing order within paragraph (b) of that subsection unless he was in lawful possession as aforesaid at the time when the order was made. ”

- (5) In subsection (3A) for the words from “the acceptance” onwards substitute “ the carrying out of any improvement to a house or building unless he is permanently displaced in consequence of the carrying out of that improvement. ”

- (6) In subsection (9) omit “or undertaking”.

Commencement Information

I4 Sch. 15 para. 5 wholly in force at 16.6.2006; Sch. 15 para. 5 not in force at Royal Assent see s. 270(4) (5); Sch. 15 para. 5 in force for E. at 6.4.2006 by S.I. 2006/1060, art. 2(1)(d) (with Sch.); Sch. 15 para. 5 in force for W. at 16.6.2006 by S.I. 2006/1535, art. 2(b) (with Sch.)

- 6 (1) Section 39 (duty to rehouse residential occupiers) is amended as follows.

- (2) In subsection (1) for paragraph (b) substitute—

“(b) the making of a housing order in respect of a house or building on the land;”.

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- (3) In subsection (6) for the words from “any such order” onwards substitute “ a housing order within paragraph (b) of that subsection unless he was residing in the accommodation in question at the time when the order was made. ”
- (4) In subsection (6A) for the words from “the acceptance” onwards substitute “ the carrying out of any improvement to a house or building unless he is permanently displaced from the residential accommodation in question in consequence of the carrying out of that improvement. ”
- (5) In subsection (9) omit “or undertaking”.

Commencement Information

- I5** Sch. 15 para. 6 wholly in force at 16.6.2006; Sch. 15 para. 6 not in force at Royal Assent see s. 270(4) (5); Sch. 15 para. 6 in force for E. at 6.4.2006 by S.I. 2006/1060, **art. 2(1)(d)** (with Sch.); Sch. 15 para. 6 in force for W. at 16.6.2006 by S.I. 2006/1535, **art. 2(b)** (with Sch.)

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